PLURALISM IN A MEDIEVAL COLONIAL SOCIETY: The Frankish Impact on the Melkite Community During the First Crusader Kingdom of Jerusalem, 1099 - 1187

A Dissertation by

RICHARD BARRY ROSE

presented to

The Faculty of the

Graduate Theological Union

in partical fulfillment of the

requirements for the degree of

Doctor of Philosophy

Berkeley, California

31 July, 1980

Committee Signatures:

Hilary Martin
Coordinator

ACKNOWLEDGMENTS

This dissertation was shaped from a rambling array of ideas into a focused thesis, chiefly due to the efforts of the final committee: Prof. Ira Lapidus (Dept. of History of the University of California, Berkeley), Prof. Gary Lease (Kresge College of the University of California, Santa Cruz), and the Rev. Hilary Martin op (Dominican School of Theology of the Graduate Theological Union, Berkeley).

The critical research done in and around Jerusalem during 1978-1979 was made possible by generous grants from the State of Israel, which provided a Fulbright-related scholarship to the Hebrew University, and by the Ecumenical Institute for Theological Research, Tantur, where I was a resident scholar during the Spring term of 1979.

During my stay in Israel, my resident advisor was Prof. Joshua Prawer (Israel Academy of Science and Humanities, and the Hebrew University), whose patience and suggestions were of inestimable value. Also at the Hebrew University, I owe a debt of thanks to Professors Elihu Ashtor, Amnon Linder, Beni Kedar, and Bluma Peritz (of the Library). David-Maria Jaeger of the Ecumenical Institute (Tantur) made me a welcome collaborator of his projects, and joined me in mine, for which I can never be grateful enough.

In addition to the research collections of the National and University Libraries in Jerusalem, my research was aided by the staff of many other libraries, particularly: the hospitable Rev. Luke Dempsey op of the École Biblique; Archbishop Germanos, Archimandarite Theophanes, and Rev. Kallistos of the Greek Orthodox Patriarchal Library; Rev. Frans Bouwen pb and Rev. Majnin pb of the seminary collection at St Anne's Convent; Kevork Hintlian and Sahag Kalaydjian of the Gulbenkian Library of the Armenian Patriarchate; Canon Edward Every of St George's College Library; Rev. Sabino de Sandoli of the Library of St Saviour Monastery; Rev. Bagatti ofm at the Studium Biblicum Franciscanum library; and Rev. J. Stiassny nds and Bro. Pierre nds of the Ratisbonne Institute.

Some interviews in Rome were also of great assistance, with Rev. Georg deVries sj and Rev. Samir Khalil sj of the Oriental Institute, and Rev. Georges Mifsud at the Greek COllege.

CONTENTS

Introduction i

Terminology xvi

Abbreviations xxv

PART ONE
Oriental Christianity Re-Shaped
by Islam, AD 650 - 1100 1

CHAPTER ONE

Islam and the Identification of the
Oriental Christians
1. The Qur'anic Judgment of Christianity
2. Islam and Sects among the Dhimmis
3. Islam and Sectarian Hegemony 3

CHAPTER TWO

Christian Dhimmis and their Civil Law
1. Differences in Christian Law and
Leadership
2. Motives for the Development of a
Christian CIvil Code
3. The Sources of Oriental Christian Law
4. The Divergence of Byzantine and
Melkite Laws 21

CHAPTER THREE

Dhimmi Responsibilities towards Muslim Regimes
1. Treaty Obligations
2. Inter-Sectarian Litigation
3. The Collection of the Jizya 42

CHAPTER FOUR

Survey of the Melkites in Palestine, prior
to the Arrival of the First Crusade, AD 1099
1. Fatimid-Byzantine Relations over Palestine
2. The New Status Quo in Jerusalem
3. Comparison to Developments in Syria . . 66

APPENDIX ONE

Profile of the Melkites and their Relations
with other Christians, 11th-12th centuries :
A. Melkite Relations with other Christian Sects
B. Population of the Latin Kingdom, by
Religious Affiliations 91

PART TWO

An Historical Survey of the Melkite Community in Palestine during the Latin Occupation of the 12th century 101

CHAPTER FIVE

The Ecclesial Structure of the Melkite Community; The Patriarchate
1. The Fate of the Greek Melkite Patriarchate in Jerusalem
2. The Fate of the Greek Melkite Patriarchate in Antioch
3. The Immediate Successors to Patriarch Simeon 103

CHAPTER SIX

The Ecclesial Structure of the Melkite Community; The Bishops
1. Transition from Melkite to Latin Bishops in Jerusalem
2. Transition from Melkite to Latin Bishops in Antioch
3. Residual Melkite Eparchies 135

CHAPTER SEVEN

The Ecclesial Structure of the Melkite Community; The Monasteries
1. The Importance of Monasteries in the Christian Community
2. The Frankish Impact on Chalcedonian Monasteries
3. The Latin Take-over of Melkite Church Property
4. Survey of Melkite Monasteries active in 12th century Palestine
5. The Abbot of the Lavra of Mar Saba . . 163

CHAPTER EIGHT

The Civil Leadership of the Melkite Community
1. Varieties of Rais and their Duties
2. Survey of Rais and their Affiliations
3. Disposition of Lesser Ecclesiastical Offices 198

CHAPTER NINE

The Civil Structure of the Melkite Community; Taxation
1. Common Taxes
2. Taxes on Frankish Citizens
3. Taxation of the Natives; the Capitation or Poll Tax
4. Taxation of the Native Christians

CHAPTER NINE continued

5. Tithing of the Melkites according to Social Stratum
6. A Digression on Cyprus
7. Taxation and Community Autonomy 228

CHAPTER TEN

The Civil Structure of the Melkite COmmunity; The Native Courts
1. The Judicial System of the Latin Kingdom
2. Jurisdiction of the Courts
3. Eastern and Western Traditions of Personality of Law
4. The Legal Criteria of the Latin Kingdom
5. Inter-Sectarian Litigation
6. Mixed Courts and Communal Courts
7. Nation and Citizen; the True Basis of Crusader Legal Criteria 264

PART THREE

The Origin and Nature of Frankish Policies towards the Melkites 299

CHAPTER ELEVEN

The Dogmatic Aspects of Church Union
1. Church Union; Contours of the Issue
2. The Jacobites
3. The Armenians
4. Other Church Unions; Maronites and Nestorians
5. The Greek Melkites 303

CHAPTER TWELVE

Some Motives of the Latin Acquisition of the Jerusalem Patriarchate
1. Church Union and its Effects upon the Patriarchate
2. The Shadow Patriarchs; the Visit of Patriarch Leontios to Palestine
3. Policies and Responses of the Byzantine Court
4. Final Resolution of the Problem 334

CHAPTER THIRTEEN

Church Union and the Melkite Episcopacy
1. Background; Latin Ecclesiology concerning minority bishops
2. Integration of the Latin and Native Hierarchies
3. Different Sorts of Suffragans

CHAPTER THIRTEEN continued

4. National Bishops as Chorepiskipoi
5. The Frankish Solution; Oriental Pluralism 363

CHAPTER FOURTEEN

Elements of Crusader Policies towards the Melkites
1. The Policies of the Church of Rome
2. The Policies of the Latin Patriarchate of Jerusalem
3. The Policies of the Frankish Lay Powers 401

CHAPTER FIFTEEN

Melkites in the Frankish World
1. Eastern and Western Models of Social Plurality
2. The Native Christians in Frankish Society
3. The Response of the Melkites 421

A P P E N D I C E S

APPENDIX TWO

The Hierarchies of the Medieval Oriental Churches 438

APPENDIX THREE

Greek Melkite Monasteries in Medieval Palestine 459

APPENDIX FOUR

List of Ru'asa' in Frankish Syria and Palestine 471

APPENDIX FIVE

Petra and Kerak 475

BIBLIOGRAPHY 485

I N T R O D U C T I O N

The Chalcedonian Christian community in the Middle East embodies one of the threads of which the post-Apostolic Church was woven. The community's origins lie in Antioch and in the Hellenic converts to Christianity, once the dominant element of Christian culture. After the fourth century, this establishment was fragmented by the monophysite and other protest movements, and later isolated by the rise of Islam.

The succession of Rome and Constantinople to Alexandria and Antioch as the leading Christian Churches was not accomplished to the neglect of the Church's origins in the East. The Oriental Churches which evolved outside the Roman Empire, and then under Muslim rule, developed an ecclesiology, an interpretation of Scriptures, and an attitude towards the secular realm, which are as different from Greek/Slavic Christianity as that is from Latin/Teutonic Christianity.[1]

Our best bridge to this third world of Christianity is the Melkite community, because of its peculiar history. When the Emperor Constantine made the persecuted Church the Church of the State, the imperial Greek and Latin Churches did not become the exclusive representatives of all Christians. The faithful who had resisted the Councils of Ephesus and Chalcedon viewed this new Roman State Church as heretical, and were oppressed by it.

The change from Roman to Muslim masters in the 7th century was not as critical for these Syrian, Coptic, and

Persian Christians as it was for the adherents of the State Church. These Chalcedonian faithful, now called Melkits, had to adapt quickly to the new conditions of tolerance in a non-Christian state, reminiscent of the environment in which the church had lived in the 3rd century.

Only the Middle Eastern Chalcedonians experienced both modes of Christian life in the world: that of a religion responsible for the values of society at large, and as an isolated sect. This is one reason we have chosen to study the Melkites; they exemplify the range of responses the Church has made to the secular world over the millenia. The community structures evolved by the Melkites, therefore, are useful models for the Christian communities of the 20th century.

* * * * *

Out of the 15 centuries of Melkite history, we have selected the 12th century for special attention, and the region of Palestine. We are particularly interested in the First Latin Kingdom of Jerusalem, 1099-1187, because this critical change in masters (from Muslim to Latin Christian) enables us to study the continuity and change of communal structures.

In addition, documentation about Christian life in Palestine is relatively abundant for the 12th century, compared to earlier and later centuries.[2]

We are especially concerned with the external aspects of the Melkite community in Palestine, their bishops, churches, monasteries, courts, and taxes. A study of these institutions

can tell us a great deal about the civil status of the Melkites under various regimes.

The inauguration of the Crusader regime need not have affected the Melkites, or other native Christians, to any significant degree. The Palestinian Jews, for example, maintained the same community structure and civil status under Sunni and Shi'i Muslim rulers as under Greek and Latin ones. But the Crusaders and the Melkites shared a heritage which was of great consequence in the medieval world, the same Christian faith.

Indeed the Chalcedonian Melkites were more closely related to the Frankish faith than any other Christian community in the Middle East. This dissertation, then, is not just a factual survey of the externals of the Melkite Church. It also analyses the origin of these institutions and the Frankish influence upon them.

Such a study reveals three influences which largely determined the status of the Melkites in the Frankish Kingdom:

1) The perdurance of the Islamic dhimmi system under the Latin Kingdom.
2) The colonial mentality of the Frankish Crusaders, and their attitudes towards the identity of their native Christian subjects.
3) The ideal of a church union between Frankish Latin and Melkite Orthodox Christians.

We will explain each of these in some detail here, without anticipating the conclusions we draw in the thesis.

1) Muslim governance of dhimmis initially encouraged the development of autonomous and isolated communal structures among the Jews and Christians of the Muslim East. The few years that the Palestinian Melkites lived under Crusader rule were insufficient to alter the influence of the prior 450 years of Muslim rule. Moreover, the Frankish warriors were not especially interested in changing the communal structures of any of their subjects.[3] The chapters in Part One analyse the development of some particular dhimmi institutions which were most directly affected by the policies of the Crusaders: leadership, taxes, and courts.

2) Frankish colonialism. The First Latin Kingdom exhibited the classic features of a colonial society: segregation of ruler from ruled, exploitation of the native population and resources for foreign enterprises, and the utilization of native institutions and rivalries to control and exploit the native groups effectively.

The Crusader states of the Near East were among the first extensions of Western Europe beyond the former domains of the Roman Empire into the new territories of northern and eastern Europe. The barely homogenized Latin West began to dominate non-Latinized, non-Western, and even non-Christian peoples in the late 11th century. The Spanish reconquista (fall of Toledo, 1085), the Norman occupation of southern Italy (fall of Bari, 1071) and Sicily (fall of Palermo, 1072), the conquest of the Levant (1098-99) and later of Cyprus,

Greece, North Africa, and Eastern Europe mark the first phase of Western Europe's advance. The occupied areas were administered in two ways: (a) some were re-settled by Westerners and integrated into West European culture (Spain, Sicily, north-east Europe), and (b) others were not integrated and re-settled, but a minority of Franks ruled a permanent majority of non-Franks (North Africa, Syria, Cyprus, Crete, etc.). The Frankish principalities created by the First Crusade were the first of the latter variety, and were paradygms for later enterprises by the Normans, Catalans, Franks, and Venetians.

The Crusaders brought with them from the West their own notions of social identity, which differed sharply from the corresponding ideas prevelent in the East. Some topics in several chapters deal with this assymetry of ideas espoused by Western Europeans and Middle Easterners in the areas of race, nationality, and religion.

3) The Roman Church had its own objectives in the East, which occasionally clashed with the Frankish tolerance of native institutions. During the decades the Crusaders ruled Syria and Palestine, the Papacy acted on the premise that the Melkites were incorporated into the Roman Church. Given the importance attached to religious identity and affiliation by all medieval societies around the Mediterranean, such a religious union implied further ties at other levels of daily life. Chapters 11, 12, and 13 investigate the reality and scope of this supposed church union and its effect both upon

the Melkites and upon the attitudes which the Franks bore towards them.

In sum, we have set out to provide a description of 12th century Melkite society fuller than any previous attempt. In addition to this institutional emphasis, we hope to touch upon the values and aspirations of the Melkites and the significance for them of a century of limited inclusion into Western society.

The flow between aspirations and structural compromises is fundamental to the type of history we have written. The Crusaders, lay and cleric alike, were concerned to impose their own terms on the native Christians, while the latter were equally anxious to retain some of the distinctions and rights dearest to them. The tension between the goals of these two peoples came to a head at the institutional level. And this generated the documents, compromises, and justifications which are the substance of this study.

* * * * *

Before we acknowledge the scholars who have preceeded us in this task, we wish to explain the pervasively clerical interests of Melkite historiography, and of Melkite society as a whole. Even this dissertation, which is concerned with the entire spectrum of Melkite society, deals largely with ecclesiastical structures and problems.

The successes of the 7th century Arab conquests placed Islam over three major faith-communities: the Mazdean, Christian, and Jewish.

The first quickly declined after the destruction of the Iranian State, which had supported the teachings of Zoroaster. All attempts by its adherents to continue their organized religious life were viewed as treasonous by the new Islamic regimes, and the Mazdeans had no energy to devise other bases for their religious life.

Jewish society was not drastically curtailed by the establishment of the Muslims. This was so because the Jews had been self-governing enclaves prior to the Arab conquests, a pattern the new conquerors found easy to accomodate. Jewish diaspora society was no longer sacerdotal, and community structures and leadership were very flexible. Some Jewish leaders were drawn from the rabbinical academies, others from the lay exilarchs and princely families, and some local dignitaries were bankers, physicians, and merchants.

Christian leadership was not so diversified. The Chalcedonian Emperors had deprived the non-Chalcedonian communities of some of their civil autonomy and rights. The Copts and Jacobites, whose distinctiveness was largely religious anyway (and not merely a cover for racial identities), were able to keep their communal autonomy only through their religious institutions and bishops.

When the victorious Arabs then deprived the Chalcedonians of their civil supremacy, they were reduced to the same status as that of the non-Chalcedonians.[4] For the next 450 years, the Christian dhimmis had only their religious institutions by

which to maintain an autonomous way of life. Following the prescriptions of the Qur'an, the Muslims identified their Christian subjects according to religious criteria. Furthermore, Christianity had already evolved a densely sacerdotal hierarchy which monopolized all community authority, just at the time the diaspora Jews were casting off their sacerdotal vestiges.[5] Thus, there was no encouragement for the evolution of lay institutions of leadership among the Christians. Our study merely reflects this clerical dominance of the structures and leadership of the Melkite community.[6]

* * * * *

Modern historians have produced ample studies on the Jacobites,[7] Maronites,[8] Copts,[9] Nestorians,[10] and Armenians,[11] based on the works of the great medieval historians of these communities.[12]

The Melkites have received less attention, for three reasons. First, Chalcedonians were spread all over the Middle East, and not centered regionally like most of the other Christian sects. Also, Melkites lived in the shadow of Byzantium, their ecclesiastical, political, and cultural protector. These two factors inhibited scholars from looking upon any particular Melkite community as deserving of special attention.[13] Finally, medieval communal histories are sparce, most of what exists being theological, liturgical, and hagiographical literature.

The first modern historian of the Middle Eastern Chalcedonians was Patriarch Dositheos Notaras of Jerusalem (1669-

1707). Dositheos, and his nephew Chrysanthos Notaras who succeeded him as Patriarch (1707-1731), revived Melkite historiography and integrated their history into that of the Orthodox Church elsewhere in Ottoman lands and in Eastern Europe.[14] These scholarly hierarchs were Greeks. Indeed, since Ottoman times, almost all the historians of the Christian communities of the Levant have been outsiders, not born and raised in the Middle East.[15]

This is also true of the modern scholars of the Greek Orthodox communion beginning with A. Papadopoulos-Kerameos, whose scholarship ranged over many fields including the Church of Jerusalem.[16] His researches enabled Archbishop Chrysostomos Papadopoulos of Athens (1868-1938) to write the first complete histories of all the Melkite churches, Alexandria, Antioch, and Jerusalem.[17] Further studies were undertaken by the librarian of the Greek Patriarchal Library in Jerusalem, Archd. Kleopas Koikylidos,[18] followed by another Greek monk and scholar, Timothy Themelis, later Archbishop of the Jordan and Patriarch of Jerusalem (1935-1955).[19]

The disturbances in Palestine over the past 35 years have made any further research into the local history of the Orthodox community difficult.

Parallel to the Greek Orthodox writers, Eastern Catholics have also made contributions to the history of the Melkites. I am indebted particularly to the publications of the late Father Cyril Karalevsky,[20] and of Msgr. Joseph Nasrallah,[21] Greek Melkite vicar in Paris. The history of

the arabophone Greek communities of the Middle East have been enriched by their efforts, especially in manuscript analysis. Other Melkite prelates have also contributed to the historical research about their community.[22]

* * * * *

Most of this literature treats of the Greek Melkite communities in isolation.[23] We now have detailed analyses of Melkite literature, ecclesiastical politics, monasticism, hagiography, etc., but very little on the Melkites as they lived among other Christians and among Jews and Muslims. Although legally and socially isolated like other dhimmis, the Melkites were not the masters of their own destiny. The customs and laws of the Arabs, Byzantines, Franks, Mongols, and Turks have deeply influenced the Melkites.

Only a community history which takes into account these crucial external influences can provide a realistic and useful heritage to the Christians of the Middle East as they face new challenges from the larger non-Christian world.

The approach I have taken in this dissertation is designed to highlight these external forces which are so characteristic of Melkite history, Arabic and Muslim on one side, Western Christian and secular on the other.

Experiments with secularity in many Muslim countries are encouraging non-Muslims to participate in public culture as equals with Muslims. The price for entrée into public culture has been that Christians identify with Arab language and civilization, abandoning their native Syriac or Greek

traditions; and Arabic culture is not yet detached from Islam.[24]

This may or may not be a long-lived trend, but we cannot deny the irrefutable dominance of Arab culture among Arab (as we must now see them) Christians.

The demands society is making upon Oriental Christians today, as in the past, have caused the Melkites to reevaluate their past. This dissertation is contributed towards the assembly of a positive heritage for Middle East Christians. History has a role to play in this, alongside other elements of linguistic and cultural revivals.

Nurtured on such a rich tradition, this third world of Christianity can make even greater contributions to world Christianity, to Arab civilization, and to the dialogue between Christianity and Islam.

1. E.g., Father Robert Murray SJ, Symbol of Church and Kingdom (Cambridge 1975). We owe the existence of the Patrologia Orientalia and the Corpus Scriptorum Christianorum Orientalium to the need felt to expand the Latin and Greek Patrologies to include this third world of Christianity.

2. This abundance of documentation was not evenly distributed, however. While we possess a hoard of Western sources, the Muslim/Arab contribution is less extensive, the Byzantine rarely extends beyond second-hand reports, and the native Christian and Jewish documents remain quite fragmentary. For example, see H.E. Mayer Bibl. z. Gesch. d. Kreuzzüge (Hannover 1960), section B. III (pp. 44-71).

3. Prof. Prawer early realized the need for an emphasis on the continuity of dhimmi life from Muslim to Frankish rule, if a valid portrait were to be obtained; Histoire Royaume Latin, (1969) I, 513, n. 11.

4. Egypt was somewhat exceptional, for the Arab rulers left much of the Byzantine civil structure intact for the first century after their conquest, but even these officials had divided religious sympathies, some Chalcedonian, some monophysite, and the religious communities, as such, derived no advantage from this. See Alfred J. Butler The Arab Conquest of Egypt (Oxford 1902) and the Chronicle of John of Nikiu, (Fr. tr.) H. Zotenberg (1883) and (Eng. tr) by R.H. Charles (1916).

5. Peter Brown Religion and Society in the Age of St. Augustine (NY. Harper and Row. 1972) pp. 83-84.

6. I. Hausherr, SJ "Pour comprendre l'Orient chrétien; la primauté du spirituel" (Orient, Christ, Period. 33:2. 1967) esp. pp. 361-368.

7. Rudolf Abramowski Dionysius von Tellmahre...zur Geschichte der Kirche unter dem Islam (Leipzig. Brockhaus 1940); Peter Kawerau Die jakobitische Kirche im Zeitalter der syrischen Renaissance (Berlin. Akademie 1955 & 1960); Wolfgang Hage Die syrisch-jakobitische Kirche in früh-islamischer Zeit (Wiesbaden, Harrassowitz 1966).

8. Abp. Yusuf al-Dibs Tarīkh al-Sūriyya (Beirut 1895-1905) 8 vols.; al-Jāmi' al-Mufassal fī Tarīkh al-Mawārinah al Mu'assal (Beirut 1905); Bp. Pierre Dib l'Église Maronite jusqu'à fin du moyen-âge (Paris 1930), Histoire de l'Église Maronite (Beirut 1962). And recent articles by K. S. Salibi (see Bibliography).

9. Martiniano Roncaglia Histoire de l'Église Copte (Beirut 1966-1973) 6 vols.; Otto F. A. Meinardus Christian Egypt, Ancient and Modern (Cairo 1965) and numerous articles (see Bibliography).

10. W. A. Wigram An Introduction to the History of the Assyrian Church (London 1910); Aubrey R. Vine The Nestorian Churches (London 1937); John Joseph The Nestorians and their Muslim Neighbors (Princeton 1961).

11. Arsak Ter-Mikelian Die armenische Kirche in ihren Beziehungen zur byzantinischen vom iv bis zum xiii Jahrhundert (Leipzig. Fock 1892); Edwand Ter-Minassiantz Die armenische Kirche in ihren Beziehungen zu den syrischen Kirchen bis zum Ende des 13 Jahrhundert (Leipzig. Hinrich 1904) and Die Beziehungen der armenischen Kirche zu den syrischen bis zum Ende des 6 Jahrhundert (Leipzig. Prics 1904); Francois Tournebize Histoire politique et religieuse de l'Arménie (Paris 1911), and (art) "Armenie" in DHGE vol. IV (Paris 1930) cols. 290-391; and the famous History of Jerusalem by Dikran Sawalaniants Badmōitiin Yerōisalemi (Jerusalem 1931) 2 vols. and part of the excellent series of church histories from Evangelisches Verlagswerk, (ed) Fr. Heyer Die Kirche Armeniens; eine Volkskirche zwischen Ost und West (Stuttgart 1978). On the Georgian Church, Michel Tamarat l'Église Géorgienne dès origines jusqu'à nos jours (Rome 1910).

12. The most noted among the native medieval historians are the Copt, Severus ibn al-Muqaffa' (d. 1003) and his continuators; the Armenian, Matthew of Edessa (d. 1136); and the two famed Jacobite historians, Patr. Michael the Syrian (d. 1199) and the Maphrian, Bar-Hebraeus (d. 1286).

We should also mention the more wide-ranging work of several European scholars, which are not restricted to any one church: Father Jean-Maurice Fiey, OP, who has published a series of articles on the early Christian communities in various eastern cities and provinces, e.g., Elam, Media, Khorasan, Iran, Assyria, Mosul, etc. in Melto, Parole d'Orient, Muséon, and other journals. (See Bibliography), Bertold Spuler, author of the articles on the Nestorian, Jacobite, Maronite, Armenian, Coptic, Ethiopian, and Thomas-Christian churches in the Handbuch der Orientalistik series on Religionsgeschichte des Orients in der Zeit der Weltreligionen (Leiden. Brill 1961) and many other books and articles, as well as a series of pupils doing further research on the various Oriental Churches. Also, Spuler's contributions to the journal International Kirchliche Zeitschrift. Father Wilhelm deVries, SJ, of the Oriental Institute in Rome, esp. his Der christlichen Osten in Geschichte und Gegenwart (Wurzburg 1951), and two ecclesiological articles, "Zum Kirchenbegriff der späteren Jakobiten (Or. Chr. Per. 19.1953), and "Der Kirchenbegriff der von Rom getrennten Syrer" (Or. Chr. Anal. 145. 1955), and many other articles (see Bibliography). The Egyptian Jesuit, Father Khalil Samir SJ, of the Oriental Institute is well-known for his researches into Arabic Christian literature.

13. E.g., the two most noted medieval Melkite historians, who wrote in Arabic, not Greek; Euthychius Sa'id ibn Batriq, the Patr. of Alexandria (d. 940), and his continuator, the Antiochene Yahya ibn Sa'id (d. 1066).

14. Patr. Dositheos Dodeka Biblia perì tōn en Hierosoloymois Patriarcheusántōn (Bucharest 1715). His predecessor, Patr. Nectarios (1661-1669) also published some historical notes on Palestine.

15. Some exceptions, Patr. Macarius Za'im of Antioch (1647-1672), and most of the Maronite and Armenian historians. More recently, we have such Arab-language publications as: Rafa'īl Bābū Ishaq Tarikh Nasārā al-Irāq (Baghdad 1948); Asad Jibrā'īl Rustum Kanīsatu'l-Madīnat-allah Antakīyat al-'Uzma (Beirut 1958) 2 vols.; and the many monographs by Habīb Zayāt (1871-1952), incl. al-Diyārāt al-Nasraniyya fī'l-Islām (Beirut 1938), and Al-Rūm al-Malkiyyun fī'l-Islām (Harissa 1953).

16. Analekta Hierosolymitikès Stachylogías (St. Petersburg 1891-1898) 5 vols. and Hierosolymitikè Bibliothèkè (St. Petersburg 1891-1915) 5 vols.

17. Important predecessors for Abp. Papadopoulos also included Patr. Constantinos I of CP (1830-1834) who collected much material on the Oriental Patriarchates, and on whom in turn depended John Mason Neale (1818-1866) for his History of the Holy Eastern Church: Introduction (London 1850) 2 vols.; The Patriarchate of Alexandria (London. 1847) 2 vols., and The Patriarchate of Antioch [posth. frag.] (London 1873).

Papadopoulos' historical works are: Historía tès Ekklèsías Hierosolymon (Alexandria & Jerusalem 1910; revised and reprinted, Athens 1970); Historía tès Ekklèsías Alexandrèias (Alexandria 1935); Historía tès Ekklèsías Antiocheias [posth. publ.] (Alexandria 1951), plus numerous articles in various Greek journals (see Bibliography). Archbishop Papadopoulos had been a member of the Greek Orthodox monastic Brotherhood at the Holy Sepulcher in Jerusalem before his election to Athens.

18. His appendix of Papadopoulos-Kerameos' Greek catalogue, Kataloipa Cheirographēn Hierosolymitikès Bibliothèkés (Jerusalem 1899), and the catalogue of Arabic MSS Katalogos arabikon Cheirographōn tès Hieros. Bibl. (Jerusalem 1901), as well as an important translation into Greek and augmentation of Vailhé's alphabetical catalogue of Palestinian monasteries, Peri ton en Palestinè Archaiōn kai Neoterōn Hellenikōn Monasteriōn (Jerusalem 1906), and many articles in the journal Nea Ziōn [Jer.], including a monograph on the monastery of St. John the Baptist (1905). Other Greek scholars involved with the Greek Church in Palestine include Paulos Karolidos, Kallistos Meliaras, M. K. Karapipèrès, and Jacobos Kapenekā.

19. Beginning with his Hoi Hellenes en tois Hagiois Typois (Athens 1919; French version, Les Grecs aux Lieux Saints (Jer. 1921)), and including many articles in Nea Ziōn and elsewhere, including Hagiotaphitikoi Pinakès (1935). As Patriarch, he was able to provide encouragement and support for the Patriachate's journal, Nea Ziōn, which had to cease publication after 1968. The Patriarchate hopes to begin republication in 1980.

20. Histoire des Patriarcats Melkites, of which only volumes 2 (1910) and 3 (1911) ever saw the light of publication. For what would have appeared in the first volume, see Karalevsky's (art.) "Antioche" in the DHGE. On many of his articles, see Bibliography. He also used a Latinized form for his name, Charon.

Two Assumptionist Fathers should also be remembered for their numerous articles on Oriental Christian history of the medieval period, Vénance Grumel, and Siméon Vailhé (see Bibliography).

21. We note esp. his Catalogue des Manuscrits du Liban (Harissa and Beirut, 1958-1970) now in 4 vols. and his forthcoming Histoire du Mouvement litteraire dans l'Église melchite (1979--) in many volumes, and numerous articles, esp. in Proche Orient Chrétien, on medieval Melkite history. Mgr. Nasrallah would be the first to acknowledge his debt of inspiration to the doyen of modern Melkite scholars Butros (Pierre) k. Mudawwar (Medawar), for many years, vicar in Egypt (born in 1887, and still active as of this writing).

22. I have in mind particularly Mgr. Néophytos Edelby, Metr. of Aleppo on whose many articles, see Bibliography, and the present vicar in Jerusalem, Mgr. Lutfy Laham.

23. E.g., the numerous books and pamphlets generated by the controversial Bertram-Young Report to the British High Commissioner of Palestine, on the Constitution of the Greek Orthodox Patriarchate, in 1929. In fact, Greek, Arab, Latin, and secular historians of the Christian Middle East present embarrassingly different accounts, even when citing the same sources.

24. E.g., the recent book by Jean Corbon L'Église des Arabes (Paris, Cerf. 1977)

T E R M I N O L O G Y

The adjectives used in this Dissertation to describe peoples, cultures, and institutions, are carefully chosen. In general, I have used designations based on creed, religious belief, subdivided by racial, linguistic, and other categories. The reason for preferring credal terms is that they are the most distinct and exclusive, not as prey to overlapping as the others.

I encourage the reader to refer to the accompanying chart, and the category explanations which follow it, in order to appreciate not only the explanation of a few key terms below, but the many other categories which appear throughout the thesis.

* * * * * *

The subjects of this study are the non-Latin, non-Frankish Chalcedonian Christians resident in Syria and Palestine during the decades of Crusader rule in these regions. To go beyond such negative designations, we must select adjectives which are more appropriate historically, and avoid those which have suffered polemical abuse and create misunderstandings. The title of this book used the work Melkites. I have called them this, and not "non-Latin Chalcedonians", because Melkites is a positive designation. More basically, this is how they were identified by their neighbors in the 12th-13th centuries.

"Melkite" is the term used by Muslims and by non-Chalcedonian Christians to describe Chalcedonians living under Muslim rule. Arab sources many times call them "Rumi". Rumi, or Roman, refers not only to the East Roman or Byzantine Empire, but also to Hellenistic-Roman culture and the Greek language. This is an apt appellation, for the Melkites often thought of themselves as citizens of Byzantium and heirs of the Hellenistic tradition. Melkite is the most specific designation, however, and distinguishes Chalcedonian dhimmis from their religious confrères who lived within Byzantium, and were also "Rumi".[1]

"Greek" or "Greek Melkite" is also used in this book. These adjectives emphasize either (a) a distinction between Greek-speaking and Syriac-speaking Melkites (presumably both groups spoke Arabic), or (b) the Greek-speaking and often Greek-born higher ranks of the Melkite clergy.

There is an awkwardness attached to the use of "Melkite", because the term has a modern usage quite different from its medieval one. Since the Ottoman conquest of Constantinople (1453) and of Syria/Palestine (1516-17), and the appearance of a Roman Union Greek Church in the Middle East (1724, in Aleppo), the Greek Orthodox have ceased to use the word Melkite to describe their adherents in the Middle East. Those Greek Orthodox in communion with Rome belong to the Greek Melkite Catholic Church, and the Greek Orthodox in the Middle East are called, simply, Greek Orthodox.

My study, however, concerns a time and place when no clear distinction existed between Melkites in communion, or not, with the Roman Church. My use of the term Melkite is not in the least designed to suggest that the non-Latin Chalcedonians in Palestine and Syria under Frankish rule were on more correct terms with the Papacy than with the Chalcedonian Patriarchs of Alexandria, Antioch, and Constantinople. The historical correctness for using Melkite of 12th-13th century Chalcedonian dhimmis, I feel, outweighs the considerations of contemporary politeness.

As in all studies concerned with the Middle East, I beg the readers of this thesis to draw upon that most necessary pair of vurtues, broad-mindedness, and patience. The four basic categories at the head of the chart (p. xix) are based on DOCTRINE (credal identity), RACE (ethnic identity), LANGUAGE (common and ritual), and RITE (cultic usages and law).[2] The reader deserves a brief explanation to understand how the adjectives listed under each heading are used.

CREED The conciliar decisions of the fifth century provided a relatively unambiguous criterion for identifying sub-communities within Christendom. This is the reason why credal terminology quickly became the most commonly used. The credal tags we're accustomed to use in the West are derived from the Chalcedonian position, however, and so are not equally satisfactory to the other churches. To get around this, we use Greek Christological terminology instead of terms

Descriptive Categories of the Oriental Christian Communities in 12th century Palestine

COMMON NAME	CREED	RACE	COMMON LANGUAGE 8TH-12TH CENTURIES	RITE & ITS LANGUAGE 8TH-12TH CENTURIES	RELIGIOUS ORGANIZATION
GREEKS	CHALCEDONIAN Dyophysite	EAST ROMANS Greeks, Slavs	GREEK and Slavic tongues	BYZANTINE GREEK	Patriarch of Constanti--nople (New Rome)
LATINS	CHALCEDONIAN Dyophysite	WEST ROMANS Franks, Goths, and Teutons	LATIN, Romance and Teutonic tongues	ROMAN LATIN	Pope (Patr.) of (Old) Rome
MELKITES	CHALCEDONIAN Dyophysite	WEST SYRIANS Greeks, Arabs	SYRIAC < ARABIC (Greek élite)	Syriac < Greek Greek < Arabic	Patriarchs of Alexandria Antioch, & Jerusalem
MARONITES	MONOTHELITE < DYOPHYSITE	WEST SYRIANS	SYRIAC < ARABIC	SYRIAN Syriac < Arabic	Patriarch of Antioch at Mt. Lebanon
COPTS	MONOPHYSITE	EGYPTIANS, COPTS Nubians, Ethiopians	BOHAIRIC, COPTIC } < ARABIC	COPTIC (some) Greek < Arabic	Pope (Patriarch) of Alexandria
JACOBITES	MONOPHYSITE	WEST SYRIANS Arabs EAST SYRIANS	SYRIAC < ARABIC	SYRIAN (some) Greek < Arabic	Patriarch of Antioch, in north Syria & Mesopotamia Maphrian, at Tagrit and Mosul/Nisibis
NESTORIANS	DYOÖUSITE Anti-Ephesian	EAST SYRIANS	Pahlevi < Syriac Syriac < Arabic	SYRIAN / ORIENTAL Pahlevi < Syriac	Katholikos of Ctesiphon and at Baghdad
GEORGIANS	DYOPHYSITES	IBERIANS	IBERIAN	IBERIAN & GREEK	Katholikos at Mtzhita/Tiflis
ARMENIANS	Pre-Chalcedonian MONOPHYSITE	ARMENIANS	ARMENIAN	GREGORIAN Armenian	Katholikos, at Rum-Qala, then Sis, & Aghtamar
DSAÏTKI	CHALCEDONIAN Dyophysite	ARMENIANS	ARMENIAN	Armenian	(no autonomous hierarchy)
ARABS	MUSLIMS & CHRISTIANS	ARABS and various Semites	ARABIC	Arabic	Muslims: caliphates Christians: no separate hierarchy

based on adherence to certain church councils. The adjective "orthodox" is also of no utility, as each community reserves orthodoxy to itself exclusively, and so it is peculiar to none.

RACE Adjectives such as "Greek" or "Syrian" are awkwardly equivocal. Ethnically, the Aramean natives of the Syrian Levant were distinguished from their Arab conquerors of the 7th century as Syrians.[3] The Arabs became sedentary and settled in Syria/Palestine rather slowly. Even by the 10th-11th century, most of the Muslim (by creed) sedentary populations of these regions, urban and rural, were still ethnically Syrian. They were former Christians who had converted to Islam along the way.[4] Armenian and Turkish elements arrived later, at the very beginning of the 11th century.[5]

LANGUAGE The Arab/Muslim conquests added Arabic to Greek as an administrative language of Syria/Palestine, and soon Arabic challenged Greek as a literary and cultural equal as well. Aramean/Syriac remained a common language among non-Arabs until the 10th-11th centuries, even longer in Mesopotamia. Thereafter, Syriac survived in non-Chalcedonian enclaves in rural areas, and also in their liturgical and religious literature.[6] As the common language of Syria and Palestine, Arabic became dominant among non-Muslims and non-Arabs by the mid 9th century.[7]

Like Syriac, Greek remained in cultic use among the Chalcedonians and as a <u>lingua franca</u> among religious and clergy. These different language groups were not as isolated

as we might expect. For instance, Melkite, Jacobite, and Nestorian speakers of Syriac were the near-exclusive channels whereby Greek literature was transmitted into Arabic via Syriac, a process which occured from ca. 825 to ca. 1025.[8]

RITE By this we refer not only to liturgy but also to canon law, ecclesial structures and discipline, and cultic practices and languages. In other words, the unique religious traditions of each sub-community. The churches derived from Antioch were largely Syrian, ethnically and linguistically, though sharing a veneer of Hellenistic culture which often penetrated deeper than we realize. The Church of Persia growing up outside Rome, and also those which were least assimilated into Greco-Roman culture -- the rural Eygptian Copts, and the Jacobites of Syria and upper Mesopotamia-- retained only a minimum of Greek language in their rites. Nonetheless, the rites of all the churches of the Antiochene family,[9] which includes Jerusalem, differed little from each other in liturgical, ritual, and cultic practices during the first millenium.

Part of the Byzantine program of reconquest in Syria in the 11th century exposed the Antiochene rite to the influence of the rites used in Byzantium, shortly before this was codified into the Basilian and Chrysostom formats familiar to us today.[10] This is a difficult process to pinpoint for any particular decade, or even century. But to the extent that the higher clergy of Antioch were Byzantine in origin or

persuasion, and Hellenic by cultural preference, the rites used in Syria during the Byzantine reoccupation and after (10th-11th centuries) were increasingly Byzantinized. The emergence of a full Greek rite in law and liturgy (though in the Arabic language) in the Patriarchate of Antioch occured only in the late 15th century.

1. From Phillippus Solitarius "Tractatus de Rebus Armeniae", writing around the year 1104: "Those who adhered to the orthodox faith and to the Emperor Marcian, are termed "Melchities", or Imperialists: for "Melchi" in Hebrew and Syriac means the Emperor." Migne, PG, t. 117: col. 881 A.

2. The relative utility of the last three terms has been treated by Cyril Charon (= Karalevsky) Histoire des Patriarcats Melkites: III, Les Institutions (Rome 1911) 136; and his "L'Origine éthnographique des Melkites" (Echos de l'Orient 11. 1908) 35.

3. Karalevsky presents the Syrophile view in "L'Origine", pp. 36-40; the Hellenophile position appears in Paul Karolidos Peri tès Ethnikès Katagōgès tōn Orthodoxōn Christianōn Syrías kai Palaistinès (Athens 1909), 120, 371-3. Disagreeing with these is Farid Georges Kassab Palestine, hellénisme, et cléricalisme (Istanbul 1909) 31, which emphasizes the continuity of Arab Christian presence in the region. A presentation of the problem of the term "Syrian" is provided by Joseph Nasrallah, "Syriens et Suriens" (Orient, Christ, Analecta 197. 1974) 487-503. On the movements of Jacobite Syrians in the region, see G. Dagron "Minorités ethniques et religieuses dans l'orient byzantin à la fin du X & au XI siècle; l'immigration syrienne" (Travaux et Memoires 6. 1976) 177-216.

4. Karolidos, 44, holds out for an influx of Christian Arabs in the 7th century as well. Also, A.N. Poliak "L'Arabisation de l'orient sémitique" (Rev. Et. Islam. 12. 1938) 45-6 & p. 50 presents critical evidence of Muslim Arab rural settlement. As an example of determining when Muslims outnumbered Christians, see Lapidus and Bulliet, note 1, in Appendix One.

5. Armenians moved from their homeland in the Caucasus towards the south and west during the 10th century, under pressure from eastern peoples, and Byzantine expansion. Byzantium absorbed their principalities and gave Armenian nobles posts and cities in the Anatolian interior, and in the reconquered regions of upper Mesopotamia.

The Seljuqs displaced the Buwayhids of Baghdad in 1055, and moved up Mesopotamia and then north-west. See the summary in S. Runciman History of the Crusades (Cambridge 1951) I, 206-207.

6. Karolidas 331-342; Karalevsky Patr. Melk. 136-142. George Every "Syriac and Arabic in the Church of Jerusalem (Church Quart. Rev. 145. 1947/48) 230-240. Also Haddad & other sources, cited in Crone & Cook Hagarism (1977) p. 211, notes 70-73.

7. Karolidas, 313 (hellenophile view); Shemadah & Nikola Khouri Khilāṣah Tārīkh Kanīsat 'Urushalāim al-'Urthodh-oksīyah (Jerusalem 1925) 71, 73 presents the arabophile position. See also Poliak, 55-56.

8. Karolidas, 393. Alexander Böhlig "Der christliche Orient als weltgeschichtliches Problem" (Zeit. f. Religions- u. Geistesgesch. 17. 1965) esp. pp. 99-100, where he deals with Arab/Muslim experimentation with Hellenistic culture.

On the persons involved in the transmission of Hellenistic works into Arabic, via Syriac, see Gerard Troupeau "La littérature arabe-chrétienne du X-XII siècle" (Cah. Civil. Medit. 14. 1971) 1-20; Philip Hitti History of the Arabs (London/New York 1940: 2nd ed.) 311-315; and the second portion of J. Nasrallah "Nazif ibn Yumn, médecin, traducteur, et théologien melchite du X siècle" (Arabica 21. 1974) 303-312, and parts of his "L'Église melchite en Iraq, en Perse, et dans l'Asie centrale" (Proche Or. Chret. 26. 1976) 334-342 which provides a list and brief analysis of nearly a dozen Melkites in Baghdad during the 9th-12th centuries, who participated in various translation projects.

9. Karalevsky Patr. Melk. 1-25, and the chart in his article "Antioche" in DHGE (1924) vol. III, facing col. 535.

10. Karalevsky Patr. Melk. 9-17, 24-26. Wilhelm deVries Der christliche Osten in Geschichte und Gegenwart (Würzburg 1951) 53-55.

ABBREVIATIONS

This list includes abbreviations used in the text notes and in the Bibliography. The asterisk after the full title indicates that fuller publication information is tobbe found in the Bibliography. The rest are presumed to be sufficiently well known.

Acta SS	Acta Sanctorum, Bollandists
AHS	Analekta Hierosolymitikès Stachylogías (ed) A. Papadopoulos-Kerameos *
AOL	Archives de l'Orient Latin
BH	Chronicon Ecclesiasticum of Gregorios Bar-Hebraeus, (eds) Abbeloos & Lamy *
BHG	Bibliotheca Hagiographica Graeca, (ed) F.Halkin
BO	Bibliotheca Orientalis Clementino-Vaticana (ed) J. S. Assemani *
BSOAS	Bulletin of the School of Oriental and African Studies (University of London)
BZ	Byzantinische Zeitschrift
CCO	Codificazione Canonica Orientale, Fonti [= Pontificia Commissio ad redigendum Codicem Iuris Canonici Orientalis] *
CH	Church History
CIC	Corpus Iuris Canonici
CSCO	Corpus Scriptorum Christianorum Orientalium
CSEB	Le Corpus des Sceaux de l'Empire byzantin (ed) V. Laurent *
CSHB	Corpus Scriptorum Historiae Byzantinae (Bonn 1828-97)
DDC	Dictionnaire de Droit Canonique
DTC	Dictionnaire de Théologie Catholique
ECR / ECQ	Eastern Churches Review / Eastern Churches Quarterly
EI^2	Encyclopedia of Islam, second edition
EO	Échos d'Orient
GAL	Geschichte der Arabischen Literatur, (ed) Carl Brockelmann ; (1898-1942)
GCAL	Geschichte der christlichen arabischen Literatur (ed) Georg Graf ; (1944-1953)
HB	Hierosolymitikè Bibliothèkè, (ed) A. Papadopoulos-Kerameos *
HC	Histoire des Conciles, (eds) Hefele & Leclercq

HEA	Historía tès Ekklèsías Antiocheías, Chrysostomos Papadopoulos *
HEH	Historía tès Ekklèsías Hierosolymōn, Chrysostomos Papadopoulos *
IGLS	Inscriptiones grecques et latines de la Syrie (eds) Jalabert, Moutarde, et alii *
IJMES	International Journal of Middle East Studies
IQ	Islamic Quarterly
IS	Islamic Studies
JA	Journal Asiatique
JAOS	Journal of the American Oriental Society
JESHO	Journal of the Economic & Social History of the Orient
JNES	Journal of Near Eastern Studies
JOB / JOBG	Jahrbuch der österreichischen byzantinischen Gesellschaft / Jahrb. der österr. Byzantinistik
JRAS	Journal of the Royal Asiatic Society
MPL / MPG	J. Migne, Patrologiae cursus completus, Ser. latina and Ser. graeco-latina
MS	Chronique de Michel le Syrien, (ed/tr) J.-B.Chabot *
OC	Oriens Christianus, Michel LeQuien *
OCP	Orientalia Christiana Periodica
PO	Patrologia Orientalis
POC	Proche Orient Chrétien
PPTS	Palestine Pilgrim Text Society
REB	Revue des Études byzantines
REI	Revue des Études islamiques
RHC	Recueil des Historiens des Croisades *
RHE	Revue d'histoire ecclésiastique
ROC	Revue de l'orient chrétien
ROL	Revue de l'orient latin
RRH	Regesta Regni Hiersolymitani, (ed) R.Röhricht *
SEB	Sigillographie de l'empire byzantin Gustave Schlumberger *
SOL	Sigillographie de l'orient latin, Schlumberger et alii *
SVNC	Scriptorum Veterum: Nova COllectio, (ed) A.Mai *

TEE	Threskeutikè kai Ethikè Egkoklopaideía (Athens 1965)
WT	Historia Rerum in Partibus Transmarinis Gestarum of William of Tyre *
ZDMG	Zeitschrift der deutschen morgenländischen Gesellschaft
ZDPV	Zeitschrift der deutschen Palästina-Vereins

P A R T O N E

Oriental Christianity, Re-shaped by Islam
650-1100 AD

Part two of this dissertation is concerned with the native Christians of 12th century Palestine, especially the Melkites, and how they were integrated (or not) into the society of the First Latin Kingdom of Jerusalem. We find there that the Franks accepted what they found, and that the Melkites retained most elements of their communal structure and autonomy.

It is certainly in order, then, to explain how the communal autonomy of the Melkites came about, beginning with the establishment of Islam in the mid-seventh century.

Although the communal institutions of the Melkites from their dhimmi period (650-1100) remained intact under Crusader rule, the appreciation of the Arabs and Franks for Melkite autonomy was not at all the same. The change of regimes brought about by the First Crusade introduced a crucial change in social interpretation. It is important to understand this right from the start, for we come back to this point in our final chapter.

The Arab Muslims recognized the autonomy of minority communities on the basis of <u>religious</u> categories, and the Frankish Crusaders viewed these same peoples as <u>national</u> entities; each ruling caste viewed its subjects as it viewed

itself.

The essence of Melkite identity eluded both of these categories. Certainly a national or racial distinctiveness among the various Christian sects remained, despite the Muslim desire to englobe them all simply as Christians. Just as the religious affiliation of the native Christians bedevilled the efforts of the Franks to treat all their subjects as non-Latins. The ambiguity about how the Melkites were perceived by their successive Muslim and Crusader masters determined the various postures the Melkite leadership took toward their temporal lords.

Muslim perceptions were the more influential, because the Muslim domination was the longer and more profound of the two, despite the faith shared by the Melkites and Franks. So the next four Chapters will describe the evolution of some basic elements of Melkite communal structures, under the influence of Islam.

We will focus on those elements which provided the contact points between ruler and ruled, Muslims and Melkites: law, leadership, and taxes. These are also the same aspects of community life which received most attention from the Franks. Thus, the background studies in Part One bear directly upon our interests in Part Two.

CHAPTER ONE

Islam and the Identification of the Oriental Christians

The first consideration about Melkite autonomy is that the Muslims allowed it to exist at all. But Melkite autonomy was tied up with that of Christians in general. It was their adhesion to the Christian religion which gained autonomy for the Nestorians, Jacobites, Copts, Maronites, Melkites and other Christian sects. This distinction between religion and sect is very important. The survival of sects as autonomous sub-communities beneath the umbrella of the Christian faith community (din, millah) testifies to the strength of religious values, alongside linguistic, racial, and geographic particularities.[1]

Chapter One describes the stubborn survival of the dhimmi sects as social communities despite the Islamic point of view which preferred to gloss over such differences.

1. The Qur'anic Judgment of Christianity

The Qur'an calls for the proselytization of the entire world, though whether or not anyone converts is in God's hands; a Muslim has but the duty to proclaim God's word.[2] The principal exceptions were pagans, who were required to become Muslims as they came under the effective control of Muslim rulers. The previous recipients of divine Revelation, Jews, Christians, and Sabaeans,[3] though encouraged to convert to

Islam, could choose to adhere to their former beliefs. They became "dhimmis" (protected people) and were isolated from Muslim society. Because their protection was based on a religious tenet -- it was the Qur'an which defined them and appointed protection for them -- the continued survival of the dhimmis was considerably guided by religious dispositions, not secular policies.

This means that the various dhimmi communities had to remain what they were if they were to retain their protection.[4] As Islam did not entertain a theory of development or change in doctrine and self-understanding (just one of elaboration), so this was not conceived to exist for dhimmis either. Conversions were only to be to Islam; no Jew could become a Christian or vice-versa. No new churches or synagogues could be built; dhimmi laws and customs must remain as they were when Islam found them, or, more radically, as God had first given them.[5]

In practice, quite different policies were allowed. New places of worship were built, some conversions between the religions occured,[6] and pagans continued to exist within the House of Islam. Even though deposed from their public supremacy in Iran, adherents of the Mazdean (Zoroastrian) faith were allowed to continue to practice it privately, though it was not usually numbered among the "tolerated" religions.[7]

The lack of concise traditions and the meager administrations of the first decades of the Muslim conquests account

for many of these exceptional phenomena. By the time Mu'awiyah attained supreme rule of the Muslim world (AD 661), the principles enunciated above were generally recognized.

How were the particular dhimmi communities defined by the Islamic faith? The Qur'an is rather imprecise, which meant that Muslim rulers and jurisconsults were constrained to recognize as Jews and Christians those who so defined themselves. Muslim law was not prepared to deal with the various sects within each religion, though the sectarian phenomenon was certainly familiar to Muslims.

According to the Qur'an, the only religions to benefit from a treaty of protection from the Muslim community were the Christians, Jews, and Sabaeans. Samaritans were classes with Jews, and Sabaeans as Christians, because they differed only in law from each other, but not in faith.[8]

These protected people (dhimmis) are usually called a millah (مِلّة), which means a religious community formed by a prophet on the basis of a revealed law.[9] A more general word is ummah (أُمّة), which is often translated as nation, and in the later Suras of the Qur'an it refers to the Prophet's own community.

The Qur'an speaks of all mankind being established by God as a single people or nation (Sura II, 213).[10] Furthermore, those who have kept the religion of Abraham belong to his way (millah Ibrahim; II, 135); Islam is the best nation (Khair ummah; III, 110).

When the Prophet Muhammad was setting up a community of his followers in exile at Yathrib (later Medinah), he entered into an agreement with the Jewish tribes of that town, whereby "they became one nation apart from the other people" (ummah wāḥidah).[11] Even a section or portion of those among the people of the Book who have remained in the way of righteousness, without excess (heresy), are not called a part, or a devision, or a remnant, but a people (ummah; III, 113, and V, 69).

The Jews and Christians are each a Revelation community (millah) from the Qur'anic viewpoint. Does Islam, then, treat all Christians as a single unit, without regard to their inner divisions?

2. Islam and Sects among the Dhimmis

As Islam found them in the 7th century, the Jews were a relatively cohesive society. Each of the dispersed Jewish communities mutually recognized the other, and were sufficiently homogenous in rite, language, and belief, for Islam to deal with them as a unit. The Karaites, a reformed Jewish sect, coalesced in the second half of the 8th century in Mesopotamia, and soon found official recognition from the Muslims as a distinct community.[12] Samaritans were also recognized as a separate civil community.[13]

But among the Christians, there existed long-standing hierarchial distinctions, dogmatic antagonism, competing and overlapping jurisdictions, different rites and languages.

They were divided into Chalcedonian (Melkite), Syrian monophysite (Jacobite), Egyptian monophysite (Coptic), Armenian, and Nestorian hierarchies. Even the monothelite Maronites received recognition in the late 8th century from the Ummayid caliphs.[14]

The Qur'an does speak of these divisions among Christians, but on a moral and theological plane, not ecclesiological. No one of these denominations was the fullest form of Christianity in its purity, though Muslim theologians usually considered Nestorian Christology to be a more accurate representation of the true Christ of the Gospels, compared to that of the monophysites.[15]

The early Muslim traditions deal only peripherally with Christian sectarian distinctions.[16]

We learn from some of the Muslim diplomas of investiture granted to the major dhimmi leaders, that Muslim regimes often recognized the distinctions among Christian sects and treated them separately under the law. But this was not done consistently. As a general rule, Christians and Jews were each considered as a millah, one entity. All Christians were followers of Jesus, and the principal sects -- Nestorians, Jacobites, Copts, Maronites, Melkites, and Armenians -- were divisions within the nation (ummah) or religious society (millah) of the Christians.[17]

Changes occured only much later in the Ottoman Empire after the 16th century as a result of European pressures in

favor of specific Christian sects. Millet status then no longer meant the integrity of the followers of Jesus as a whole, and the protection granted them, but instead just the autonomous legal statutes for each autocephalous church. Part of the motive for European intervention was the initial Ottoman attempt (in the late 15th century), following Islamic tradition, to treat with all their Christian subjects only through one primate, in this case the Greek Orthodox Patriarch of Constantinople. As a result, the various non-Greek and non-Chalcedonian churches (especially the Copts and Armenians) strove to get out from under Constantinople's hegemonic jurisdiction. The last to gain such independent status were those most closely identified with the Greek Orthodox, the Maronites and the "Uniate" Melkites.[18]

Despite the unifying intentions of the Qur'an, the major Christian denominations asserted and received state recognition of their separate identities. Each group claimed for itself the protection and autonomy accorded all Christians on the basis of their faith. Some sects reached even further, to claim authority beyond their own membership.

2. Islam and Sectarian Hegemony

The Jacobites are heretics to the Nestorians and the Melkites condemn the beliefs of both. Though Muslims would call them all "Christians", many Christians denied the name to those of other denominations. Therefore, it is quite unusual for one sect's primate to exercise his civil or spiritual

jurisdiction over the faithful of another sect. Such hegenomic control lies totally outside the realm of church law, which applies only to Christians in communion with one another, and this is determined by dogmatic accord. So when we come across such instances of what we call hegemonic authority, we are witnessing the utilization of political advantages by a religious body. This is not an unusual phenomenon among traditional peoples. What is exceptional is that the Christian dhimmi communities which achieved any degree of hegemony over others, had to overcome their legal and social isolation under Islam to do so, and this was accomplished by adapting to Muslim laws and customs.

But the explanation is not wholly political. Indeed, the favorable political opportunities would not be grasped at all were it not for a basic vision of unity among Christians.

Let us now look at some instances of hegemony among the Christian sects. Opportunities for hegemony required a combination of politics and population distribution, for unlike the rabbanate Jews, there was no single Christian denomination given hegemonic authority over all Christians in the Dār ul-Islām before 1453.

Social and racial forces helped to determine that Christians living in some areas of the Middle East all adhered to the same confession. The Nestorians were dominant in Mesopotamia, up the Tigris and westward as far as Nisibis. The Jacobites were strong in eastern Syria and upper Mesopotamia.

The Melkites were a majority in Antioch and parts of Palestine and along the Mediterranean coast. The Copts in Egypt and the Armenians and Georgians in the Caucasus had the additional factor of race to delineate their zones.

But other factors, especially forced transfers of populations, set Christians of differing denominations alongside each other in northern Syria, upper Mesopotamia, and Central Asia, especially in the cities of Edessa, Nisibis, Aleppo, and Mosul.[19] These mélanges of population usually disrupted the customary authority of the original Christian sect in those areas over all the local Christians.

In the face of these challenges to their customary dominance of certain regions, some Christian sects looked around for new supports for their authority. The first to act, it seems, were the Nestorians.

The Abbasid centralization of authority in Baghdad favored Nestorian ambitions; their Katholikos moved his seat from the ancient capital of Seleucia-Ctesiphon to the new Muslim city of Baghdad, the only Christian hierarch allowed to do so.[20] Abbasid suzereinty over Syria and Egypt also encouraged the Nestorians to erect eparchies in these regions, which had to be withdrawn later, as Abbasid power retracted to Iraq. Some diplomas indicate that the Nestorian Katholikos exercised some limited jurisdiction over all Christians in the central Abbasid realm during the 9th-11th centuries.[21] Other sects then tried to imitate the Nestorians.

Fatimid expansion in the 11th century enabled the Copts to increase their representation in Jerusalem, and to bring the sister Jacobite hierarchy into more formal relations with their monophysite partners in Egypt.[22] Armenian dominance over the Jacobites took many subtle forms,[23] social and political. But fissures within the Armenian community ultimately preserved the Syrian monophysites from the attentions of the Armenians, whose purity of monophysite doctrine the Jacobites never ceased to suspect.

Not to be left behind, the Melkites attempted to exercise a vague hegemony over all Christians living in the shadow of their major Patriarchates, in Antioch and Jerusalem. In the former city, their numerical and political superiority enabled them to keep out heretical rival hierarchs.[24] Many sects were well-represented in the Holy City, but the Greek Melkite Patriarchs exercised a subtle primacy over the Christians of the area. His authority was enhanced especially by the extensive Melkite land holdings, larger than any of the other Churches in Jerusalem.[25]

The brief periods of Seljuq and Ayyubid political suzereinty over the Middle East were not long enough to encourage further attempts in Christian hegemonics, so we hear no more of these experiments until the establishment of the Ottomans in Syria and Egypt in the early 16th century.

Our purpose in exploring the phenomenon of hegemony among Christian sects has been to show the willingness of

dhimmi Christians to cooperate with Muslim regimes, in order to preserve their traditional community boundaries and identities. The legal and administrative ramifications of intersectarian hegemony are discussed in Chapter Three, Topic 2.

* * * * *

While many Muslim rulers and theologians came to appreciate the theological and historical differences among the various Christian communities, the traditional Qur'ānic version remained, that all Christians were members of a single millah, the Nasāra (followers of the Saviour?)[26], or Masīhiyūn (followers of the Messiah, the Anointed One).

Neither Christian nor Muslim theology could impose its own theories of community identity, when politics, language, race and dogma stood in the way. For those Christians intent to retain their communal autonomy, neither the Bible shared by all Christians nor the unity of Christians favored by the Qur'an was a hindrance.

So when Islam proposed that dhimmi Christians live according to one law, corresponding to their common creed, we are not surprised to learn that law too became a means for Christians to assert the autonomy of their various sects.

1. As in Gabriel Baer "Religious and Ethnic Groups" (in Jacob Landau (ed.) Man, State, and Society (New York 1964). The priority of religious persuasion over social identity is explained for the late classical period in Miriam Lichtheim "Autonomy versus Unity" in Lynn White (ed.) Transformation of the Roman World (Berkeley, 1967).

2. Thomas Arnold The Preaching of Islam (London, 1913) 2nd ed, introductory Chapter.

3. The germ of this distinction is in the Qur'an, Sura ii 62:

> Those who believe [in the Qur'an]
> and those who are Jews, Christians, and Sabians,
> who [all] believe in God and in the Last Day
> and work righteousness,
> they shall have their reward.

"Sabaean" has meant (a) the inhabitants of an ancient Yemani kingdom [Sheba]; (b) the star-worshippers of Harran who claimed this exempted status in AD 830, on which see A.A. Vasiliev Byzance et les Arabes (Brussels 1935) vol. 1, p. 99; and (c) some Mandaens living near old Babylon in souther Iraq. The matter has not been better elucidated since the article by Stanley Lane-Poole "Sabians and the Christians of St. John" in his Studies in a Mosque (London, 1883) 252-288. Ibn Qayyim, 14th century pupil of Ibn Taymiyya, assembled traditions about the Sabaeans which were conflicting, so he concluded that one cannot trust what the Sabaens say about themselves. Ahkām Ahl al-dhimmah, (ed) Sabhi al-Sālih (Damascus, 1961) vol. I, p. 92.

4. Because Islam is against any innovation (بدع) within itself and among its believers - because God's truth requires no alteration or improvement - this is applied to the dhimmis as well, and Muslim authorities have been known to enforce Christian and Jewish laws upon those persons if the latter were unwilling to do so themselves; S.D. Goitein "Minority self-rule and government control in Islam" (S.I. 31, 1970) 101-116, Section 5; and ibid. Mediterranean Society (Berkeley 1971) vol. II p. 406.

Of course, there are even more instances of Muslim authorities allowing changes among dhimmi groupings and customs, as we shall see; the formation of the Karaite sect, of the Maronite hierarchy, et sim. From what we know, the Muslims may not have acquiesced to these developments without some resistance, however.

The strict theologian Taqi al-Din ibn Taymiyya (1263-1328) interpreted Sura xxx 30-1

> Set your face steadily and truly to the faith
> Establish God's handiwork according to the pattern
> on which He has made mankind;
> let there be no changes in this work.

to mean that no changes or alterations must be made in the religion of the Jews and Christians; al-Jawāb al-Saḥīḥ li-man baddala Din al-Masīḥ (Cairo ed. of 1379/1959) vol. 2 pp. 28-29. In his other writings, he takes up an old charge that Jews and Christians have already altered their faith before the mission of the Prophet, thus emphasizing the seriousness with which Islam assumed its task of preventing further perversions of God's revelations at the hands of its unworthy recipients (Jews and Christians), until they should all have become Muslims. The wasīyah (Instruction) preserved in al-ʿUmarī (d. AD 1349), informs the head of the Jewish community (ra's al-yahūd) that he is to undertake no innovation, but to do only as his ancestors have done, al-Taʿrīf bi'l-Muṣṭalaʿa al-Sharīf [Kitāb al-Inshā] (Cairo 1894) p. 143.

5. These and many other restrictions on dhimmi life were traditionally attributed to the caliph Umar (either to one or both of them; Umar I [634-644] and Umar II [717-720]) though there is little evidence that any such system of laws was very organized so early; Muslim law itself wasn't systematized until the end of the 3rd/9th century, and regulations concerning dhimmis is a part of that.

Many of the discriminatory regulations derive from the first treaties made by the Muslim conqueres with the subjected cities of Syria, Egypt, and Iran; cf. Muhammad Hamidullah Majmūʿatu 'l-wathāʾiq (Cairo 1956, Beirut 1969). The major study of the legal status of dhimmis (prior to the Ottoman period) is Antione Fattal Le Statut légal des non-Musulmans en pays d'Islam (Beirut, 1958) which analyses the nature of the laws, but not the nature of the recipients. Other, less systematic surveys, are: M. Belin "Fetwa relatif à la condition des zimmis...chrétiens en pays musulmans..." (J. A. ser. 4, vol. 18, 1851) 417-516 and (ibid. v. 19, 1852) 97-140; Arthur Stanley Triton The Caliphs and their non-Muslim Subjects (Bombay, 1930: London 1970); Eli Strauss [=Ashtor] "The Social Isolation of Ahl adh-Dhimma" in (ed) Otto Komlos Études Orient. à la memoire de Paul Hirschler (Budapest 1950) 73-94; Claude Cahen "L'Islam et les minorites confessionnelles au cours de l'histoire" (La Table Ronde 126. 1958); Alī Husnī al-Kharbūtlī al-Islām wa ahl al-dhimma (Cairo 1969); Rudi Paret "Sura II 256 - Lā ikrāha fī 'd-dīni - Toleranz oder Resignation?" (Der Islam 45:3, 1969) 299-300.

Aside from the hadith collections, where traditions concerning Dhimmis appear under a variety of headings, the most typical collection of dhimmi regulations as such is the Ahkām ahl al-dhimmah by Shams al-dīn ibn Qayyim (as above).

6. Conversion from Judaism to Christianity and vice-versa was never seriously discouraged by Muslims, despite the rigor of the sunna on this point. See I. Goldziher (Muhammedanische Studien (1890) II, 216; (Eng. ver.) (London, Chicago 1971) II, 200-201.

7. Michael G. Morony "Religious Communities in late Sasanian and early Muslim Iraq" (JESHO 17:2, 1974) pp. 121-]; and Richard N. Frye "Zoroastrier in der fruhislamischen Zeit" (Der Islam 40:2-3, 1965) 189-199. As Hamidullah and Fattal both note, early aḥadīth and treaties extended the protection for People of the Book of Majūs (Zoroastrians) rather early, though their faith is hardly a derivative of that of Abraham. The principal hardship for the Majūs (or Magians) was the loss of all public support and functions, and its restriction to a private devotion; a hardship not dissimilar to that incurred by Islam in areas over which it has lost political control. See also M. Morony "The effects of the Muslim conquest on the Persian population of Iraq" (Iran 14. 1976) 41-59.

8. The distinction between legal and belief bonds appears in al-Nuwayri Kitāb Nihāyat, vol. viii, p. 236; also by al-Shafi'i, quoted by al-Nawawi in his Kitāb al-Majmū', vol. xv, p. 391-2 and again in vol. xviii, p. 210. The Magians/Zoroastrians are mentioned once in the Qur'an--xxii 17--but not in a context clearly identifying them as people of the /a book. Hamidullah (above) does list some treaties made with Magian cities which allowed the free practice of that religion (§ 331-339; Arab. ed), and his §346 is a pact made with the city of Dabīl in Armenia, granting freedom to Nazareans, Mazdeans, and Jews. "In later periods, the most influential schools of Muslim law accorded the status of protected communities not only to Jews, Christians, and Zoroastrians, but also to all non-Arab idolators, such as the Indian Hindus. Only apostates and Arab idolators were excluded", Y. Friedmann "Islam is superior" (Jerusalem Quarterly 11. 1979) p. 41.

9. M. Ahmed "Key Political Concepts" (I.S. 10, 1971) items 3 and 4.

10. ummah wāhidah (أُمَّة واحدة), though v. 51 indicates that God could have made mankind all one people, but as a test, they exist as different races with different languages. There are many monographs about "ummah", but the comments of Mohamed Talbi in (Islamochristiana 4. 1978) are worthy of note.

11. وإن يهود بني عوف أمّة مع المؤمنين، لليهود دينهم وللمسلمين دينهم
As in the Sīrat al-Nabī of Muh. b. Ishāq, in the recension of Abd al-Malik b. Hishām (Cairo (ed) 1963) vol. 2, p. 351. The major interpretative revision on this document is Moshe Gil "The constitution of Medina; a reconsideration" (Israel Oriental Studies 4. 1974) 44-66, which addresses the previous literature, especially R. B. Serjeant "The Constitution of Medina" (I.Q. 8. 1964) 3-16 and Frederick M. Denny "Ummah in the constitution of Medina" (JNES 36. 1977) 39-47. This is §1 in the Hamidullah corpus (both French and Arab eds.). The

concensus is that the Jews and the Muslims do not form one ummah, as generally understood, or if they do, it is only because the Jews (some of them) are māwlī of the Muslim tribes.

Some useful general articles on this topic are: Frederick Denny "The meaning of UMMAH in the Qur'an" (Hist. Relig. 15. 1975) 34-70; M. Ahmed "Key Political Concepts" S. Akhtar "Semantics in International Agreements in early Islam" I.S.6 1967) 91-95; and Wilson B. Bishai "Negotiations and peace agreements between Muslims and non-Muslims in Islamic History" in (ed) Sami A. Hanna Medieval and Middle Eastern Studies in Honor of Aziz Suryal Atiya (Leiden. Brill. 1972) 50-60 [p. 55 esp.].

12. In general, see Julius Furst Geschichte des Karaethums bis 900 des gewuhnlichen Zeitrechnung (Leipzig 1862) and Leon Nemoy Karaite Anthology (New Haven, Yale 1955). Morony, (1974) writes that the Abbasids at first supported the Gaonim against the Karaite sect., p. 130. Other studies show that the Karaites were not dogmatically opposed to rabbinical reasoning on the text of the Torah, and in fact shared most features of community structure, including an exilarch (for the Karaites) in Jerusalem; Zbi Cahn The Rise of the Karaite Sect (New York 1937) and Zvi Ankori Karaites in Byzantium (New York 1959, 1968), esp. pp. 13-24, 42-3, 241-3, 302-320. Crone & Cook Hagarism (London 1977) p. 32 for close ties between Karaite and Hanbali fundamentalism.

13. Henri Lammens "Les Samaritains sous Yazid" (Mélanges de la Faculté Orientale, Univ. de St. Joseph, Beirouth, vol. 5 , 1912) 689-711 describes the early contact had by the Muslims in their pacification of Syria. As an example of Jewish responsibility for the Samaritans, F. W. Hasluck, referring to John Mill's Three Months Residence in Nablus, tells of a mid-19th century attempt by Muslims to coerce the Samaritans to convert to Islam, on the argument that they had no (revealed) book. The Jewish authorities relieved the Samaritans by proving that they did at least accept the Pentateuch; Christianity and Islam under the Sultans (Oxford 1929) vol. 1, p. 150, n. 2. Eugen Mittwoch "Muslimiche fetwas über die Samaritaner" (Orient. Literaturzeit. 29. 1926) cols. 845-849 ends with an emphasis upon the integrity of the two main divisions - Jews and Christians - despite their sectarian divisions, before the bar of Islam.

14. According to Michael the Syrian, caliph Marwan (around 745) imposed Theophylactus bar Qanbara as Antiochene Patr. of the Chalcedonians; the communities attached to the monastery of Mar Maron resisted this imposition, and eventually the caliph allowed them their own hierarchy; (ed) J. -B. Chabot, xi 22. Despite their claims to the contrary, it would seem that the Maronites had remained adherents of the Imperial

monothelite Christology, even after its condemnation in AD 681, and when the (now non-Monothelite) Melkite hierarchy was restored in Syria in 742/43, it was inevitable that the Maronites would attempt to resist inclusion.

15. Spuler "Die west-syrische Kirche" (Saeculum 9. 1958) p. 326 and in his Die Morgenland. Kirchen, (Leiden, 1961-64) 145-6. Also van den Brincken (1973) p. 314, echoing Assemani, BO, vol. III: 2, p. xcvi. Ali ibn Ahmad ibn Hazm (994-1064 AD) of Cordoba, a fundamentalist theologian, also found Jacobite Christology to be the most offensive to Muslims; Myrta Rivera Ibn Hazm on Christianity (Hartford 1968). Further references in J. -M. Fiey "Rūm à l'Est de l'Euphrate" (Muséon 90. 1977) p. 373 and n. 43.

16. It is Prof. Atiya's constant claim that the first Muslim conquerers treated all Christians alike, as in his History of Eastern Christianity (London, 1968), p. 193. However, it's one thing to treat all Christians alike, and another to hold in theory that they are all alike.

17. Melkites are a tāifah (طائفة) of the Christian millah [al-Qalqashandi xi 392, xii 424], though they're called a millah in other places [ibid. xi 394, xii 426]. Copts are also a ṭāifah (branch) [al-Qalqashandi xi, 396, 399] but who, as a division, possessed a treaty ('ahd عهد) from the beginning of Muslim rule; they're too called a millah (xi 399). Clearly we're dealing with an equivocal use of the term millah: (a) the Christian religion, composed of (b) many (sub-) milah, as exemplified by this phrase from al-Qalqashandi re: the Copts: وكانت الملة المسيحية والفرقة اليعقوبية "They're of the Christian nation (millah), [a part] of the Jacobite division (firqah)." [xi 402].

Habib Zayat provides many examples from Islamic chancelry documents (13th-15th cent.) showing the use of "Melkite" to cover Frankish (Latin) and Middle Eastern Chalcedonians together; but this is not quite the same as collecting monophysites and dyophysites under the millah of "Christian"; also, there are problems with the use of the word "baba/papa" (البابا) in connection with the Melkites, al-Rūm al-Malakiyūn fi'l Islam (Harissa 1953) 20-21.

18. The Armenian Patriarch in Istanbul functioned like the Greek Orthodox Patriarch, but for all the monophysite sects in the Empire; as the Melkites (esp. Uniates) chaffed under the Greeks, so the Nestorians did under the Armenians.

Only in 1839 (or 1848) did Rome and France persuade the Sublime Porte to grant separate millet status to the Uniate Melkite community, under their own Patriarch, who resided in Damascus, as did the orthodox Patriarch; inter alia, Pierre K. Medawar "Consecrations episcopales" (Le Lien 1976) p. 73.

According to S. Sidarouss, the Nestorians were not recognized as an autonomous millet until 1844, but this must refer to the Uniate Patriarch "of Babylon" which was only clearly formed in 1830, Des Patriarcats (Paris, Rousseau, 1907) p. 213. Or, as John Joseph suggests, the non-Uniate Nestorians had ceased to receive (or even apply for) diplomas sometime in the late 18th century, and they seem never to have gotten them since, from any government. A useful clarification of this obscure issue is provided in his The Nestorians and Their Muslim Neighbors (Princeton 1961) 33-35, esp. n. 30.

Sir Steven Runcilman's description of the status of the Christians under Islam suffers from this Ottoman anachronism, A History of the Crusades (Cambridge University Press 1952) vol. I, p. 21.

19. Jacobites were erecting dioceses deep into Nestorian territory in Herat and Issyl-qyl from the 9th to 13th centuries; and each sect had a bishop in Herat, Farah, and Zarang (in Khorasan); Jacobites and Melkites had overlapping jurisdictions in Martyropolis/Mayperqat from the 7th century until the 13th century, and Nestorian bishops resided there later on, until after the Mongol invasion. The shadowy Melkite Katholikate of Rumagyris may for a time have been situated in Merw, seat of a Nestorian metropolitan; Jacobites and Melkites each had a metropolitan in Mosul well into the 13th century. On Jacobite and Melkite bishops in Nestorian-dominated Baghdad, see note 20 (below); Jean Dauvillier "L'expansion de l'église syrienne" (Orient Syrien. 1. 1956) 76-87, and the articles by J. -M. Fiey (see Bibliography); J. Nasrallah "L'Eglise melchite" (POC. 26. 1976) p. 16-33.

On Edessa in particular, which had Melkite, Jacobite, and Armenian bishops (and, rarely, a Nestorian bishop), see Dobschütz (1898), Laurent (1924), Rücker (1935) in note 17, Chapter 6. Some background into the vigorous response of the Nestorians to Jacobite and Melkite proselytization, is in W. G. Young Patriarch, Shah, and Caliph (Rawalpindi 1974) pp. 58, 76, 149.

20. Officially, no Christian hierarch was to dwell in the City of Peace (Baghdad) which was an all-Muslim town. But an exception was first made for the Nestorians. Kawerau notes that the Jacobite maphrian John VI did spend the years 1237 to 1244 in Baghdad, Die jakobitische Kirche im Zeitalter der syrischen Renaissance (Berlin, 1960) 2nd ed. p. 24. J. -M. Fiey critiques the credence given to the Vita of Christopher in "Rum à l'Est d'Euphrate" (Muséon 90. 1977) 387-393, but this Vita does tell us how the Melkite Patriarch Christopher of Antioch (960-969), a native of Baghdad, obtained permission to have a Melkite bishop reside permanently in Baghdad, despite Nestorian resistance; Neophyte Edelby "Note sur le catholicosat de Romagyris" (POC. 2, 1952) 39-46, and Habib Zayat "Vie du patriarch melchite d'Antioche Christophore, par le protospathaire Ibrahim ibn Yuhanna" (POC. 2, 1952) 11-38, 333-366, but esp.

28-9. Earlier, the Nestorian Kathoikos Abraham III had persuaded the caliph's wazir to arrange a deal whereby the Melkite bishop would only be a travelling bishop, allowed to visit Baghdad from time to time, see Bar-Hebraeus Chron. Eccl. part 2, Primates Orientis (tr) Abbeloos & Lamy, vol. III, pp. 235-238.

21. Diploma of AD 1075 is in Mari, Akhbar, Arab text p. 135, lines 16-17 and also in al-Qalqashandi, vol. x, p. 297. The Diploma from AD 1092, in Mari, p. 149, lines 1-2, 10-11. The Diploma from AD 1138, in Mingana (Bulletin of the John Rylands Library 1926) fol. 5, lines 14-15, and in Amedroz "Tales of Official Life" (JRAS 1908) p. 468, lines 9-11.

22. As al-Qalqashandi notes, "The title Patriarch of Alexandria was not specifically reserved for the Patriarch of the Jacobite [Coptic] Christians; this individual might at times be a Jacobite, and at other times a Melkite. The restricted application of it to the Jacobites only arose in the Islamic period" Kitāb Ṣubḥ al-Aʿshā fī Sināʿāt al-Inshā'. (Cairo 1919-1922) vol. V, p. 474. See also Bosworth "Christian and Jewish Dignitaries in Mamluk Egypt and Syria" (IJMES 3, 1972) p. 70.

The common dogma between the Copts and Jacobites was expressed in the synodical (enthronistic) letters sent between the monophysite Patriarchs of Alexandria and Antioch, first begun in the monophysite agreement of AD 619; Egypt seems to have lapsed first in this practice, W. Hage Die Syrisch jakobitische Kirche in früh-Islamischer Zeit (Wiesbaden Harrassowitz 1966) p. 79.

In Mamluk times, the Jacobite Patriarch in Syria was considered by the Muslims to be the naʾib (deputy) of the Coptic Patriarch of Cairo; Gaudefroy-Demombynes La Syrie à l'époque des mamelouks (Paris, 1923) p. 168, and while it is the Sultan who approved the nomination of the Melkite Patriarch of Alexandria, his (the Sultan's) naʾib in Damascus issued the approval for the election of the Melkite Patriarch of Antioch.

23. There is a tradition that the Armenian bishop of Jerusalem, Abraham, obtained from the Prophet Muhammad an edict of protection, placing the Armenian bishop over all the monophysites (Jacobites and Copts and Armenians) of Palestine, just as the Greek bishop Sophronius ruled over all the dyophysites; A. Antreassian Jerusalem and the Armenians (Jerusalem, 1969) p. 40.

24. (See pages 96 of Appendix One, and note 8 there), where we've noted that the Jacobite Patriarchs resided outside the city, though there were usually Jacobite churches

and parishes inside the city, even before the Byzantine reconquest in the 10th century. There was never a Nestorian bishop or an Armenian bishop for Antioch in the medieval period, and thereafter, the city was abandoned and the Christian hierarchs moved to Damascus; B. Spuler, Die Morgenland. Kirchen, p. 178.

25. (see pages 94-5 in Appendix One)
A Coptic Patriarchate was established in Jerusalem in 1236, though withdrawn for a time when the Egyptian bishops reprimanded their Patriarch for infringing on an existing monophysite (Jacobite) jurisdiction, for Jacobite bishops had been in Jerusalem since the 10th century; the Nestorian diocese (since 835) was raised to a metropolitanate in 1065, and the Armenian bishop of Jerusalem became a Patriarch in 1311. J. Massou "Le pouvoir legislatif du patriarche copte d'Alexandria" in I patriarcati orientali nel primo millennio (Rome 1968) [Or. Chr. Anal. 181] pp. 91-2, 102; and the numerous articles on Jerusalem by Otto F. A. Meinardus: "The Nestorians in Egypt and Jerusalem" (Oriens Christ. 51, 1967) 112-129; The Copts in Jerusalem (Cairo 1960) [booklet]; "The Ethiopians in Jerusalem" (Zeit. f. Kirchengesch, 76, 1965) 112-147.

26. Some typical views on the origin and significance of this term:

> "Regarding the Christians, [Ibn Sallām of Kairouan, who died in the year 200/815] writes that they are called nāṣarā because they were in a village named Nāṣira. This statement refers to the widely held belief repeated in the dictionary, Lisān al-Arab, that Christians traced their origin to the village of Nazareth."

Crone & Cook "Note also that the Islamic tradition, despite its acceptance of Jesus as the Messiah, persists in referring to his followers as 'Nazarenes', a usage presumably borrowed from the Jews." (note 35 on p. 156)
Yet these authors also note that...
"Nazira, nazirutha are common terms for asceticism, in Syriac" (note 174 on p. 198.)
P. Crone and M. Cook, Hagarism (Cambridge 1977)

CHAPTER TWO

Christian Dhimmis and their Civil Law

When the Crusaders acquired their new domain in Palestine, each of the native communities possessed its own set of laws. It is important to learn how the Oriental Christians came to have a quasi-divine or religiously-based law code for their communities, like their Muslim, Jewish, and Samaritan neighbors. Such a law is not apparent in the Christian Scriptures, and the Melkites in particular had not possessed such a civil law code at the time of the Muslim conquest. Eastern Christians had to devise community laws to keep their autonomy under Muslim rule. Their success in doing so insured them social autonomy under the Franks as well.

Bishops had become the natural leaders of the Christian dhimmi communities, and it was they who compiled whatever laws the faithful required. Lacking any original legal sources, the Melkites gathered their secular laws partly from Roman and Muslim codes. The other Christian sects had done the same, so that their various civil laws had much in common.

Similarity of legal systems did not automatically bring about cooperation or common judicial organs among Christian dhimmis. The Oriental Christian law codes have an artificial appearance, as if they were designed just to satisfy the requirements of Muslim governments, rather than for practical use. As a result, Christians of different sects met each

other more frequently in Muslim courts than in any common court of their own faith.

1. Differences in Christian Law and Leadership in Christian and non-Christian Lands

The Christian Sacred Books (especially the Gospels) concern God's revelation of Himself to His rational creatures; they exist to tell man more about God. The Revelations which preceeded and followed that of Jesus Christ--the Torah and the Qur'an--proclaimed a broader program: to provide God's creatures with a model for communal living in this world as a partial reflection of the eternal order. Torah and Qur'an therefore, are as much laws as revelations, and paradygms of all human legislation. The law of the Gospel, in contrast, teaches the freedom from sin so that man might love God and creation more fully.

Like the Torah and the Qur'an, the Gospel functions as a law against which all judgments are validated. But the New Testament is much less explicit in most areas of human social interactions than the other two Covenants. The Gospels' disinterest in specific legal paradygms found its balance in the other elements of Christian life, the community itself. Unlike the Muslim ijmā' (communal concensus), the Christian community evolved a much more explicit form of communal elaboration and approbation of law, the hierarchial church. Obedience to the hierarchy, singly and in assembly, was a necessary consequence of membership in the community of the baptized.

In this way, each religion achieved a balance: where the revealed law was explicit (Judaism and Islam), the law's implementors had less discretionary authority; where the law was more general (Christianity), its implementors carried broader responsibilities.

Normally, bishops issued canons on spiritual matters or disciplinary laws for the clergy. They wrote civil laws only in response to demands from the State, or in the absence of any other authority. In Christian Rome, the Church had no need for its own civil law, while under Islam it did. Some comparisons between the two settings will help the reader to appreciate the nature of Melkite community law.

The Christian Roman State had little role in the formation of Christian doctrine and moral conscience, nor in church offices and ranking. And the Church made few demands upon the State, save the occasional need to impose non-spiritual punishments by means of the secular arm. Their real partnership rested in the Roman people, whose definition as citizens and subjects was based as much on their faith as on territoriality.[1] The Church law (Nomocanon) of such Christian Roman citizens was aptly a synthesis of ecclesiastical canons and imperial legislation.

Conditions were radically different under Islam. The Church's laws were distinct from those of the non-Christian state. And the state encouraged the several treaty communities to elaborate their own laws, allowing them to be self-sufficient

and law-abiding subjects, not directly subject to the state's own code.[2]

In East Rome, Canon Law was an integral part of the Imperial Law Code. The Nomocanon governed all churchly matters including succession to office, creation of new dioceses, and the like. There was no need for Imperial intervention to legalize church offices, spiritual or temporal. Of course, the Emperors often intervened in ecclesiastical administration, especially to create new dioceses (usually in missionary areas), to appoint and depose bishops, and to hear litigation between clerics of a civil nature. In these cases, however, the Emperor acted as a chief executive over the Christian community, capable of effecting church appointments on his own initiative, though his appointees always required the approval and even consecration by other bishops and officials. The Emperors did not change Church laws suae sponte, but respected the legal traditions of both the civil and ecclesiastical parts of the Roman law.[3]

In non-Christian lands, church customs were not integrated into the laws of the state. The churches enforced their laws at the suffrance of the Muslims. The leaders of the Christian communities were functionaries for their people at the pleasure of the State. The Persians and Arabs were familiar enough with the notion of priesthood to realize that the leaders of their Christian subjects required some sort of spiritual license from their community. Jewish leaders, in

contrast, could be chosen merely on the basis of their social status within the community.

But the Arab administrators did not need to be concerned with these niceties. There were usually enough eligible candidates by the communities' own standards to provide a sufficient selection to suit the state's policies.[4]

The traditional Priestly hierarchy of each of the Christian sects thus found their claims to leadership enhanced by the religious and administrative policies of the Muslims. Such a development insured the legal autonomy of the Melkites, but also rendered the faithful totally dependent upon the episcopacy for their supply of judicial officers.

2. Motives for the Development of a Christian Civil Code

We are now ready to look into the minds of the Christian bishops of the 7th-8th centuries, to discern their motives for compiling civil laws and the pressures they were responding to. By analyzing their motives we can estimate the success of their efforts.

The law codes of the oriental churches evolved in response to the conditions created by the establishment of a Muslim commonwealth in the Middle East, and so were not fully shared by Byzantine Christianity. Christians under Islam did, however, share with Roman Christians two motives for elaborating a distinctively Christian law code:

1) Abandonment of the Mosaic Law. Gentile Christians did not retain the ceremonial Mosaic Law, and of course did not

share in the later development of the Talmud. While it was perhaps appropriate for Christians to leave behind the Jewish Law, such an attitude had to face squarely the fact that Christ gave no substitute for the civil laws of each people. The most common response was to adopt a Gentile genre, that of natural and customary law. These laws were valid for Christians because they arose from the innate knowledge of Himself that God placed in His creatures. Christian apologists of the 4th century and after adopted the classical distinctions of laws" ius humanum, which to be just should acknowledge ius natura or lex aeterna, and both these are part of ius divinum.[5] Several Jewish and Muslim legalists also held ius humanum in esteem, for they considered that human reasoning was required for the implementation of the Torah and Qur'an. Only later did Christianity make this step, and largely through the instrumentality of the Christian Emperor who was at the apex of law (see ahead, point 2).

Christian apologists rarely faced the issue of the Gospels' adequacy as a practical guide for everyday activities; the law of Christ perfected the Old Law in an essentially spiritual sense.

The Jacobite philosopher 'Isā ibn Zur'ā (943-1008) divided Law into (a) Natural (instinctual, concupiscence), (b) Rational (justice), and (c) Positive (grace). In the last category falls the Old and New Testaments. Ibn Zur'ā was in agreement with his Jewish and Muslim contemporaries in

believing that natural human capacity was not adequate to build up a just polity, and so mankind depended upon a Revealed Law. While noting that the New Testament provided a means of controlling the lower appetites, he could not claim that Christians were capable of elaborating a social ethic for themselves on the basis of reason purified by faith and aided by the moral principles of the Christian Revelation.[6]

Most of the oriental Christian churches made the effort to fill in the vacuum left by the abandonment of Torah and Talmud. For the rest, the charismatic authority of bishops in council was adequate to interpret and apply the theological and moral injunctions of the Scriptures.

2) A Holy Nation. The ideal of themselves as the Community of the Saints and their acceptance of the Christian Emperors as divine instruments gave Christians a confidence in organizing society according to their views of human nature and its destiny. The pagan past of the Roman Emperors did nothing to erode their importance as Christian lawgivers, even though they brought in bishops as their helpers in the administration of the state. Nor did the Church utilize the imperial office merely to enforce ecclesiastical regulations and punishments. The Emperor was not only useful for his possession of coercive power, he represented God's providence, who provided in the Imperial office a blessing for the faithful, a source of wisdom, laws, and protection.[7]

The oriental churches too respected the Emperors in their lawgiving function. Persian Christians, for example,

were not subjects of Rome, but accepted the Roman codes as normative for the regulation of the temporal affairs of the Christian community. Byzantine Christians submitted to the laws of the State because the laws of the Church and of the State were intertwined. But oriental Christians also followed many Roman laws even though their own ecclesiastical customs were not a part of them.

The unique conditions under which Christian dhimmis lived in the Middle East added two other motives for the elaboration of a Christian civil law:

3) Competition with Judaism and Islam. We have noted the restricted nature of the Christian Revelation in temporal matters, compared to the elaborate civil interests of the Talmud and the Qur'an. Muslims were quick to point out this discrepancy between the fullness of the Qur'an and the limitations of the Gospels, though they recognized that Christianity had other virtues not possessed by Judaism.[8]

If Christianity was to hold its own in a pluralistic and alien world, this handicap had to be remedied. But given the primacy of spiritual interests in canon law, it proved difficult to elaborate a civil code drawn purely from Christian, or even Roman, sources. In the end, most Christian dhimmis adopted Muslim laws to fill in areas left untreated by the laws of their own sects (see note 19, ahead). This borrowing was often disguised by relating Muslim laws to Christian sources or to local customs.

4) Treaty requirements. Islam assumed a conscious and positive stance towards her predecessors, Judaism and Christianity, and made them "protected" religions. Based on the treaties of protection accorded various Christian communities at the time of their submission to the Arabs, Muslim jurists allowed dhimmis to govern themselves as autonomous subjects with their own cults, cultures, and laws. Yet the superior judgment of Islamic law always stood over the dhimmis, evaluating the correctness of their Scriptural traditions and restraining the public expressions of their beliefs. Muslims also expected their dhimmis to have the means of exercising autonomous law in order to fulfill their treaty obligatons.[9] For just as the status of dhimmis was divinely sanctioned, so the impropriety of bringing their cases to Muslim courts was generally held to be a matter of Revelation as well (Qur'an: Sura V, 46).

In order to comply with their treaty obligations, Christians had to have civil laws proportionate to the degree of autonomy accorded them by the Muslims. As the latter was extensive, so must become the former.

The oriental bishops were under pressures from these four perspectives to devise a Christian civil code. Where were they to look for their laws? They looked first to their own traditions, most of which were already codified into the canon laws of each church.

3. The Sources of Oriental Christian Law

Dhimmi Jews were empowered by Islam to administer the Law of Moses in its purity, without change or corruption; for Christians, the Law of Moses as emended by Jesus. Dhimmi laws were to cover especially two areas: Personal status--marriage and divorce, inheritance, adoption, oaths; and those matters which Muslim law did not recognize (for Muslims)--usury among Jews, commercial transactions involving swine among Christians, and transactions among both religions involving wine.[10]

The Law of Moses emended by Jesus meant the canon law of the Church. The canon law of the oriental churches was all derived from the same sorts of legislation:[11]

[1] The New Testament, Apostolic Canons, and some Old Testament regulations

[2] Provincial Councils

[3] The General Council of Nicaea

[4] Later Ecumenical Councils

[5] Parochial synods

[6] Parochial Patristic sources

[7] Legislation of Imperial Roman origin

The Melkite, Jacobite, Coptic, Maronite, Armenian, and Nestorian churches shared practically the same texts for the first three items.

[2] are the synods of Ancyra (314), Caesarea of Neo-Caesarea (314-325 period), Gangres (ca. 339-350), Antioch (341), and Laodicea (4th century). The Greeks and Latins often added

Sirmium and Sardica (342), and the various synods at Carthage (up to 419).

[3] includes:

a) the 20 authentic canons

b) the 83 (or 84) Oriental (or Arab) canons

c) the 33 monastic canons, to which the Copts add additional series of canons totalling 150 [by adding up a), b) and c)][12]

d) the Canons of the 318 Fathers, or The Spiritual Canons of Constantine, 72 or 75 in number.

[4] The Council of Constantinople (381), like Nicaea, was generally accepted by the oriental churches, but as its concerns were rather parochial, it played no great canonical role outside Roman territory. Ephesus (both of 431 and 449) and Chalcedon (451) are, of course, the watersheds of the monophysite and Nestorian movements. The latter accept some Chalcedonian canons, and the Jacobites some of the canons of the later Ephesus. The subsequent councils--Constantinople II (553) and III (680), Quinisext in Trullo(692), Nicaea II (787) etc.--applied only to the Chalcedonian churches.

[5] The several oriental Churches did not share a common civil law. Rather, writes Darblade, "chaque église a suivi des traditions particulières plus ou moins influencée par le droit musulman".[13] The most concrete forms of these "particular traditions" were the synods of each communion. The Copts, Jacobites, and Nestorians built up their own canons from synod

to synod. The Nestorians began first with Katholikos Ishaq's collection (399-410), the Jacobite tradition beginning with Jacob of Edessa (d. c. 708), and the Copts with Patriarch Christodoulos (1047-1077).

The medieval Melkites included no indigenous synods in their collections after the 5th century, only those held in Byzantium. Provincial synods were held by one or another of the three Patriarchs, and history records one meeting of all three Melkite Patriarchs in Jerusalem, in April of 836.[14]

We do not know what occasioned the conference, whether other bishops attended, of if their joint letter to the iconoclast Emperor Theophilus affirming their iconodule position was the only item on the agenda. We can't explain Melkite dependence on Byzantine synods, as nothing in tradition or political circumstances would have inhibited the convocation of provincial councils in Syria or Palestine or Egypt. Perhaps the Melkite provinces were too small, containing too few bishops, to require such regular synods.

[6] Each community also cherished the counsels bequeathed them by their revered Fathers. This source has a strong dogmatic and spiritual orientation, and is quite polemical. Consequently, a list of Chalcedonian Fathers is quite different from a monosphysite list. Because the Nestorians and Chalcedonians shared a common aversion to monophysitism, the former often included the writings of some Greek Fathers in their literature, especially the Cappadocian Fathers, Athanasius

the Great, and John Chrysostom.

There remains the final elements of Oriental church law, the legislation of the East Roman Emperors. This item [7] comprises a number of items:

a) the Spiritual Canons of the Emperor Constantine [=d) of Nicaea, 2.v.]

b) the Canons of Constantine, [Theodosius] and Leo, 127 to 130 canons, which comprise the S y r o - R o m a n C o d e.

c) the Eklogè of Emperor Leo III (726), often misattributed to Emperor Leo VI, to avoid the iconoclast reputation of the earlier Leo.[15]

d) the Procheiros Nomos of Emperor Basil I (875) and extended as the Epanagogè under Leo VI (886-912) and Constantine VII (913-920).

We will examine these in a little more detail.

a) This collection of 72/75 canons was of a civil nature, but only vaguely derived from actual Imperial legislation. It was attributed to the Council of Nicaea by the non-Chalcedonian legal compilers, to lend it credibility.

b) This second collection is devoted to the civil needs of Christians. In its Melkite form it counts 43 cannons of Constantine I, 6 of Theodosius, and 80 of Leo III (or VI). Among the other churches, the attribution to Theodosius generally disappeared. The original Greek version of this was soon neglected, as it had no validity in Byzantine jurisdiction where the Novellae of Justinian and the later

Codes were in effect. This abbreviated Code appears in various forms in Ethiopic, Coptic, Armenian, Georgian, and in Syriac, for use by Jacobites, Nestorians, and Maronites.[16]

c) and d) do not exist in any Syriac versions, but only in Arabic (and Greek of course). These later Byzantine digests were included by Ibn al-Assal (late 13th century Coptic canonist) in his Nomocanon as the Four Books of the Kings, namely the Procheiros Nomos, the Syro-Roman Code, the Spiritual Canons, and the Prescriptions of the Ancient Law (a summary of Old Testament laws).[17]

Only the Parochial synods [5] and Roman legislation [7] contained any significant number of laws directed to the daily problems of lay persons. The bishops did their best to compile useful codes, but the results never lost a certain clerical and artificial quality.[18] Furthermore, there were no dhimmi courts run by laymen for civil matters, only priestly judges or their deputies (see Chapter 8, topic 1). It is not hard to appreciate with what ease Muslim shari'a and local customs became popular among Christians to supplement the many areas neglected by the traditional religious sources of Christian law.[19]

4. The Divergence of Byzantine and Melkite Laws

Could not the Melkites at least among the Christian dhimmis have countered Islamic legal influences by adopting secular laws from Byzantium? This was not realistic, because Byzantine

laws were written for social conditions quite different from those the Melkites lived in. OUtside of churchly concerns, the shari'a was of more practical value to dhimmis than the Roman nomocanon. But there were other hinderances to such an exchange even in the ecclesiastical sphere where the practices of the Byzantine Church were applicable to the Melkite clergy.

First, the Melkites could not keep current with Byzantine legal developments. The East Roman Church's ecclesiastical laws were first collected by Patriarch John the Scholastic (565-577), and capped by the legislation of Emperor Justinian II at the Quinisext Council in Trullo (692). Subsequent elaboration followed the basic structure laid down at Trullo, but none of this found its way to the Melkites. After the establishment of the Arab state, the Melkite churches were hindered from regular contacts with Byzantium. The Oriental Sees (Alexandria, Antioch, Jerusalem) were represented by vicars or their exiled Patriarchs at Constantinople for the Ecumenical Council held in the capital in 680 and the Quinisext council of 692. Thereafter the restored resident Melkite Patriarchs sent delegates to later councils in Byzantine territory, or had delegates appointed for them by the Emperor who then tried to send them copies of the results.

As time went on, the language differences between Greek, Syriac, and Arabic speakers further increased the isolation of the Melkites. The higher clergy usually continued to know Greek, but especially in Egypt and areas remote from the coastal

cities, the Melkite laity and clergy were basically Arab-speaking and not lively transmitters of Greek literature.[20]

In general the Melkites did not adopt Byzantine canons after the 6th century; they were ignorant even of the 50 Chapters of John the Scholastic as of the later nomocanon of Photius (9th century).[21] The exception was the area of Antioch after its recovery by the Greeks in the 10th century.

Nor were the Melkites able to develop an indigenous Code of any substance. In the fruitful period of the 8th-9th centuries they produced the Syro-Roman Code and translated several pseudo-Apostolic and pseudo-Nicaean collections from Greek into Syriac (if indeed parts of them ever existed in Greek). Thereafter the Melkite hierarchies suffered much disruption, and later Byzantine canonists such as Theodore Balsamon (d. 1199?) were able to implement the mature Byzantine legal tradition among the Melkites by having them translated from Greek into Arabic.

The Melkite civil codes were satisfactory in the light of Muslim requirements, and maintained some prestige among the codes of rival churches. But they were valueless in the eyes of the jurists of Constantinople (see Chapter 15, topic 2).

Our survey reveals that the only significant borrowing of canonical material by the oriental churches after the Arab conquests was the Syro-Roman Code and perhaps the Spiritual Canons. The earlier canonical tradition shared by them comprises mainly the conciliar symbols of the Nicene period.

The legal traditions of the dhimmi Christian sects were homogenous, though not identical.[22] Homogenous enough to allow many disputes between litigants of different sects to be settled without going to the shari'a courts, and to encourage a general customary law for mercantile cases. But distinct enough to prop up the separate autonomies of each sect from the other.

Islam failed to induce her Christian subjects to devise a practical, single law code to accord with her vision of a single Christian Revelation and community of faithful. Instead, law became simply another divisive characteristic of the several Christian confessional societies, and one tougher and more stubborn to overcome than language or customs.

For this reason, the Franks found it simple to allow the sects to keep to their established ways, their vision of a union of Christians in the Levant fared no better than had the Muslim ideal.

In view of the later eruption of the Crusades in the Levant, two questions arise, which we will try to answer in Part Two:

1) Melkite community law and adjudication were linked to the church hierarchy; could the community's law function in the absence of the bishops?
2) Melkite community law was not very broad; could it insure their autonomy, or would the Melkites be totally subordinated to the Church and society of the Catholic Crusaders?

1. E. H. Freshfield Roman Law in the Later Roman Empire (Cambridge, 1932) 54-57; and Biondo Biondi "Il Cristianismo nel Corpus Juris" in l'Orient Cristiano nella Storia della Civiltà (Rome (1964) 273-295. Also Jean Gaudemet l'Eglise dans l'Empire Romain (Paris, Sirey, 1958) 507ff.

2. The Muslim initiation of dhimmi law codes is especially noticeable for the Copts, as they long had no codified law until so encouraged by the Fatimid wazīr in the 11th century; de Clercq "Initia Iuridica" (Apollinaris, 38 1965) §36; M. Cohen Origins of the Office of Head of the Jews (New York 1976) 127-8; and the case of the Muslim governor of Egypt who called a church council to maintain clerical obedience to the Church canons, in Hist. Patr. II iii 334, 339, quoted in Otto Meinardus "Attitudes of the Orthodox Copts towards the Islamic State" (Ostkir, Stud. 13, 1964) 153-170. Massou, in I patr. orient. (Rome 1968).

The Nestorians, of course, had been prodded to devise their own codes in the time of the Sassanid King Yezdigird I, and by later Persian rulers prior to Islam; de Clercq (Apoll. 1965) §27, 28, 39, 40.

3. As in Edwin H. Freshfield Roman Law (1932): "While he was an absolute autocrat under the lex regia,

the basileus, though not subject to the law, had to rule according to law." p. 59.

4. Fattal, pp. 214-231. Also S. Sidarouss Des Patriarcats (1907) p. 260 re: the Karaite community in Egypt, whose leader was appointed by the main (in 18th century) Karaite hierarchy in Russia. The custom of the Muslim regime was to withhold recognition of this appointee until he'd been formally accepted by the local community.

5. Jean Gaudemet La formation du droit séculier et du droit de l'èglise aux iv & v siècles (Paris, Sirey 1957) esp. 164-168.

6. S. Pines "La Loi Naturelle et la Société; la Doctrine politico-théologique d'ibn Zurʿā" in (ed) Uriel Heyd Studies in Islamic History & Civilization (Jerusalem, 1961) 154-190 (esp. pp. 181-186). For more on Ibn Zurʿā, see Cyrille Haddad Isā ibn Zurʿā (Beirut, Dar al-Kalima 1971). This is also discussed by the 14th century canonist Abdishoʿ (=Ebedjesu) of Nisibis, in his Ordo Iudiciorum Ecclesiasticorum (tr) Vosté (Rome 1940), p. 140.

That the Gospel Law was seen as not practically adequate, or as not designed to be a juridical substitute for the Torah, is perhaps a factor for the adoption of the Torah by some non-Jewish Christians as a religious law for themselves. Of one such sect, the Athingariani, which survived in Anatolia into

the 9th century, see A. Sharf Byzantine Jewry (London 1976) pp. 75-76. On the active presence of Jewish Christians in the Near East, especially in Nestorian areas, see S. Pines The Jewish Christians and the early centuries of Christianity (Jerusalem 1966), esp. pp. 34-40. Peter Brown has suggested that in the Western Empire, new Christians eagerly adopted the culture and laws of the OT, which alone could provide a comprehensive world to replace the pagan culture from which they were cut off, by their conversion; Religion & Society in the Age of St. Augustine (New York, 1972) 82-3.

7. Eric Voegelin The Ecumenic Age (Baton Rouge 1974) [= Order & History, 4] pp. 28-9.

8. As in the talk given by Muhī'l-dīn al-Alwā'ī at al-Azhar in Cairo, in 1387/1968, quoting from the works of the Imām Sadīq Hasan Khān concerning the latter's "fierce attack upon these atheistic Jews who so arranged their evidence in court that everything mentioned in the Torah concerning promises and pledges are either beneficial or prejudicial to this life only; the Torah says nothing pertaining to what comes after death, unlike the Gospels." This is in a collection of fetwa of al-Nawawi, Kitāb al-Majmū'a al-Muhaddab vol. xi, p. 409. More on the motives of the dhimmis to create a law of their own, is in Schacht "Droit byzantin et droit musulman" in Oriente ed occidente (Rome 1957), esp. pp. 216-218.

9. al-Nawawi, Kitāb al-Majmū', vol. xvii, Book on Jihād, chapter on Jizya, p. 257; Edelby (1950) pp. 308, 313-315.

10. A. Fattal Le Statut Légal, chapter iv, on the economic liberties of dhimmis, esp. pp. 353, 356. Fattal also provides a closer analysis of the religious law to be enforced by the Patriarch, the Law of Moses, except where abrogated by Jesus, pp. 216-7, 348.

11. General: C. deClercq "Initia Luridica" and "Diversitas Iuridica" (Apollinaris 1965); C. Karalevsky Studi Storici (Rome 1932) esp. the articles by F. Gozman, P. Dib, G. Ricciotti, A. Coussa, and C. Karalevskij; A. Coussa Epitome Praelectionum (vol. I); W. Selb "Le Livre Syro-Romain" in Orient Cristiano nella Storia della Civiltà (Rome 1964) 329-341.

Melkites: G. Assemani Iuris Orientalis (Rome 1760) 5 vols., mostly on Byzantine legislation; Hans-Georg Beck Kirche u. theol. Literatur (Munich 1959) pp. 140-7, 422-424; J.B. Darblade "La collection canonique" (OCP. 4, 1938), and La collection canonique

(Harissa 1946); C. deClercq "Byzantin (Droit)" art. in DDC, II, cols. 1170-1184; P-P. Joannou Discipline général (Rome 1962-3) 2 vols.; V. Laurent "L'Oeuvre canonique" (REB 23, 1965).

Nestorian: J-B. Chabot Synodicon Orientale (Paris 1912); J. Dauvillier "Chaldéen (Droit)" art. in DDC, fasc. 13-14 and his Le Droit Chaldéen (Paris 1939); Hefele-Leclercq HC. II: 2 (1908) Appendix iv, "La collection canonique nestorienne"; Hoenerback & Spies Das Recht der Christenheit (Louvain 1956-57); H. Kaufhold Syrische Texte (Munich 1971); A. Mai SVNC (Rome 1825-38) vol. X, part I "Ebediesu collectio canonum"; E. Sachau Syrische Rechtsbucher (Berlin 1907-14) 3 vols; J-M. Sauget "Decisions canoniques" (Apollinaris 35, 1962) esp. pp. 259-265; Vosté Ordo iudiciorum (Vatican 1940); O. Braun Das Buch der Synhados (Stuttgart 1900).

Jacobite: Bar Hebraeus Nomocanon (Paris/Leipzig 1898); P. Hindo Disciplina Antiochena (Vatican 1951) esp. vol. 26 "Les Personnes"; C. Kayser Die Canones Jacobs von Edessa (Leipzig 1886); Mai SVNC, vol. X (1838), part ii, "Bar-Hebraei Nomocanon"; J. Mounayer Les synodes syriens (Beirut 1964); F. Nau Les Canons (Paris 1905); A. Voobus Syrische Kanonessammlungen (Louvain 1970); Voobus The Synodicon in the West Syriac Tradition (Louvain 1976)

Coptic: Burmester "Canons of Patriarch Christodulos" (Muséon, 45, 1932); W. Riedel Die Kirchenrechtsquellen (Leipzig 1900); OFA Meinardus "Brief Introduction" (St. Vladimir's Sem. Quart. 6, 1962) 139-155; Steinwenter Das Recht der Koptischen Urkunden (Munich 1955).

12. Gozman, p. 48.

13. This is Darblade's summary of Nallino's stance, in his (1946) p. 141, note 2, and in his (1938) p. 111.

14. Letter of the three Oriental Patriarchs to the Byzantine Emperor Theophilus, in Migne PG, t. 95. This unauthentic text, and the authentic one, are analyzed by A. Vasiliev "Life of St. Theodora" (Byzantion, 16 1942) pp. 216-225.

15. E. H. Freshfield, p. 46.

16. See two articles in Orient Cristiano (Rome 1964), by Volterra "Il libro siro-romano", and by W. Selb "Le Livre syro-romain".

Wright signals a 6th century translation of the secular laws of the Emperors Constantine, Theodosius, and Leo, from Latin into Syro-Aramaic, Catalogue of Syriac Mss. (London 1870) I, 177, no. 239.

17. Darblade (1946) sect. 9, pp. 132-140.

18. In two monographs, Walter Selb argues for the purely academic (not designed for practical use) and Roman (not Oriental or Hellenistic) nature of the 5-6th century version of the syro-roman law code; "Römische Recht" (JOBG 14, 1965) and Zur Bedeutung (Munich, 1964). See also G. Graf GCAL, I, section entitled "Zivilrechtliche Sammlungen" pp. 613-621.

19. Herewith the pertinent remarks of the Nestorian Katholikos John V bar Abgare (900-905):

> "...and Yuhanna V bar Abgare regulated them (other bishops) regarding all sorts of religious and secular matters, and what he decreed on inheritance approximated Muslim ordinances,
>
> > "For (he said) we live among them [Muslims] and (must do so [adopt their laws]) out of fear of deviating from them."

Mari Akhbar (1899 ed.) part I, p. 88. Also see comments by Kaufhold (1971) pp. 33-34.

20. A circumstance not fully appreciated by A. Coussa, "Indication des sources" in Karalevsky Studi Storici (Rome 1932) pp. 378-9.

21. Coussa, 398. And vice-versa, Photius knew nothing of these oriental Arab canons of Nicaea which were in circulation among the Melkites, Hefele-Leclercq Hist. Concil., vol. I:1 (1907) p. 510, though this could also mean that he knew of them, and that they were not authentic. A useful checklist of those elements of canon law rejected by Byzantium, or lacking among the Melkites, or shared by Byzantine and Melkites, is provided in Elias Jarawan La Collection canonique (Rome 1969)

22. A condition found by Joshua Prawer to apply to 12th century Christian sects under Frankish rule in Jerusalem, which is a point to be taken up in Part Two: "...il faut supposer qu'en dépit de la multitude de sectes entre lesquelles se part ageaient les chrétiens orientaux, il n'y avait pas de différence entre eux sur le plan judicaire, dans les affairs touchant la propriété et les transactions. Cette justice était le legs d'une tradition issue de droit byzantin tardif." Histoire du Roy. Latin de Jérusalem (Paris, CNRS. 1969 ed.) vol. I, p. 521.

CHAPTER THREE

Dhimmi Responsibilities towards Muslim Regimes

We have said that the traditional priestly hierarchy of each of the Christian denominations found their claims to leadership enhanced by the religious and administrative policies of the Muslims. Chapter Two explained the general trends which encouraged this development.

We can now look at some specific examples of administrative practices of Islamic governments which moved the Christian leadership to assume responsibilities beyond their spiritual tasks.

These practices in general eminated from the treaties made between the Muslim and Christian communities. The two cases we have selected are: (1) dhimmi responsibility of settling disputes not just among one's own sectarians, but between members of different Christian sects; and (2) assisting the state in the allocation and collection of taxes, especially those imposed on dhimmis as such.

1. Treaty Obligations

The duties of dhimmis towards their Muslim rulers derived from the treaties which the Arabs made with the leaders of the various cities which fell to them in the first decades of conquest and thereafter. The later califs and sultans ordinarily dealt with their non-Muslim subjects on the basis of practical arrangements, ignoring the niceties of the terms

of antique treaties. But appeal could always be made to the pertinent treaties if one side or the other wished to justify its demands.

The diplomas of investiture which Muslim rulers accorded to certain Christian leaders also state that the dhimmi leaders are expected to insure the faithful adherence to the various treaties, on the basis of which the dhimmis continued to exist at all.[1]

For instance, the Patriarchs and ra'is al-yahūd were responsible for having the dress codes followed, for insuring that their people were restrained in their public demeanor and unobtrusive in their worship. In addition, the Nestorian and Coptic Patriarchs were occasionally empowered to collect the poll-tax (jizya) from their community.

The assignment of treaty responsibilities upon dhimmi leaders linked them closely to the Muslim state, but did not threaten the autonomous nature of their authority. Rather, the Patriarch or chief rabbi was accepted as the responsible agent for his community in dealing with another community on the basis of a treaty. Christian bishops had played this role long before Islam.

The principal instruments of dhimmi authority were their own laws and courts, though they depended upon the Muslim police (shurṭa) for enforcement. Dhimmi authorities exerted every effort (successfully it would appear) to discourage any recourse to justice outside their own community. For their

part, Muslim authorities supported this effort and encouraged dhimmis to elaborate their own laws. Muslim rulers were not anxious to undermine dhimmi courts by admitting appeals by dhimmis to Muslim justice, if dhimmi courts had jurisdiction.[2]

Many instances could be cited of Muslims not respecting dhimmi authorities, and of their direct intervention into the religious and communal customs of their minorities. The Jacobite Patriarch Denis of Tell-Mahré had to dissuade the calif from altering the manner in which church leaders were selected.[3] In another area, some Muslim jurists (quḍāh) tried to use the Prophet's order to the Christian Najrānis to abandon their practice of usury as support for their issuing a similar decree. It is true that Muslim law does prohibit usury, but most Muslim jurists were aware that usury was also forbidden by Christian law. In contrast, all the schools of Muslim law allowed dhimmis to sell wine and pork among themselves, though it was forbidden to Muslims.[4]

All treaties were not the same, and the terms granted to one group of Christians or Jews were not automatically offered to other groups. These treaties have something in common however. They were all negotiated with the leadership of each community, and it was this leadership which remained responsible for the implementation of the terms of the treaty protection, for insuring that all their members adhered to it, and that those who broke its terms were punished or else the entire community would lose their exempted status.[5]

Excellent examples of this come from 15th century Egypt. On occasions when disputes arose over the application and interpretation of specific terms of the treaty, the Mamluk Sultans would marshall the Coptic, Melkite, and Jewish leaders, and together they would renew the "Pact of Omar."[6]

2. Inter-Sectarian Litigation

a) The Islamic Incentive

The Muslim treaties were made with leaders of all types of Christian sects, no attempt being made to be thorough. The leader of the dominant sect in a given city or region became the political representative for all the Christians to be covered by the pact.

In contrast to this pragmatism shown by the Muslim generals, the Qur'an only distinguished among dhimmis as Jews, Christians, and Magians. Samaritans are classed as Jews, and Sabaeans as Christians, for they differ only in their laws, but not in Faith. The Jacobites, it might be surmised from Sura V, 19, are also identified as a distinct community, but still a type of Christian. All these distinctions are based on belief, and only secondarily according to law or custom. Beyond such delineation, Muslim law is not concerned with any finer distinctions among the various sects within each religion. As Ibn Taymiyya (1262-1328) insists, these sects gain more distinction by paying the jizya (and so honoring Islam) than by adhering to their own notions of their traditions.[7]

The separate churches had to pick their way through this ambiguity if they were to retain their sectarian autonomy. One perplexing area in this regard was the settlement of inter-sectarian litigation. Certainly among the masses of the laity, Melkites, Jacobites, and Nestorians formed no single community, not even in the face of their common Muslim overlord. Animosity between members of the different sects remained strong, fed by racial, linguistic, economic and historical prejudices.

Within each community, the Pauline counsel to avoid taking cases to the civil power was constantly taken as a serious admonishment.[8] But this advice did not apply to heretics. And yet each hierarchy was concerned to prevent members of his flock from seeking recourse to Muslim courts, including involvement in inter-sectarian disputes.

Their concern stemmed from two fears:

(1) The hearing of Christian disputes in non-Christian courts depreciated the value of Christian identity and autonomy and the churches' attempts to instill Christian values into all of its members lives.

(2) Recourse to Muslim courts also encouraged alien intervention into Christian communal affairs, which was occasionally useful to one or another party but always disruptive in the long run.

Muslim law offered no guidelines here. The shari'ah does envision the occurance of mixed religious legal cases--Muslim versus dhimmi, or Jew versus Christian--as one of the

causes for bringing a non-Muslim before a Muslim judge.[9] What is not taken into account are sectarian mixed cases--Nestorian versus Melkite versus Jacobite, or Karaite versus rabbinical Jew. Such cases must have been as frequent, if not more so, than interreligious litigations, given the social and geographic fluidity of the Abbasid realm.[10]

Yet, although there are many law-book examples of interreligious cases, there are none of inter-sectarian ones.[11] An example from the fetwa collection of the Shāfi Ī jurist al-Nawawi (d. 1277 AD):[12]

> If [the litigants] are of two different religions (dīn)...the Muslim judge must yet give them both the same single decision, because each of them would not accept the decision of the court of the other person's religion.

For Islam, the operative distinction is of dīn, religion, which describes Jews, Christians, Muslims, and pagans. There is not a separate category of law (fiqh or haqq) apart from dīn, so there is no way of dealing with different laws within one religion except to ignore them. As Edelby puts it:[13]

> Dans la pensée du Prophete, entre la religion et le droit il y a, plus que des rapports, une identité.

Consequently, Muslim social theory allowed dhimmis to be autonomous only on the basis of religion (dīn), Jews having one Law, and Christians another, each sufficient for the needs of their autonomous lives.[14] The Muslims call the Christian law Injīl (the Gospel), a traditional and evocative term, not meant to be descriptive. Yet we have seen that the various

Christian communities had legal traditions which owed little, aside from inspiration, to the New Testament, and not much more held in common from other sources.

b) The Christian Response[15]

To forestall civil intervention then, it was necessary for the various Christian parties to resolve their problems among themselves. But any cooperative arrangement at the episcopal level which enabled Jacobites, Melkites, and Nestorians to settle serious civil complaints could not be justified ecclesiologically. Melkite and Jacobite bishops were not about to acknowledge any authority of the Nestorian Katholikos over them and their flocks. This would inevitably posit the existence of a Body of Christ in which all three churches were more or less equal members, thus invalidating each sect's Christology and canonical traditions.[16] The cooperation had to be much more informal, for even the civil laws of each sect, by their nature, served to maintain the religious differences between them, not bridge them. For such reasons, the legal collections of the various churches only take cognizance of each other to the extent of warning their members to avoid the others, and to detail the procedures for abandoning one church to enter another.

These isolationist scruples were partly overcome, thanks to four pressures. We have already analyzed the first three of these:

(1) the recognition among Christians of their essential unity

(see Chapter One, pp. 9-11)

(2) the common bases of the civil laws of the Christian sects (see Chapter Two, Topic 3)

(3) the religious and administrative pressures of Islam (see Chapter Three, Topic 1)

The fourth ingredient was political opportunity.

The alliance between the new Abbāsid califs of Baghdad and the Nestorian Church shortly after 750 AD enabled the Nestorians to exercise some measure of legal hegemony over Melkites and Jacobites living in Mesopotamia and Iran during the 8th-12th centuries.

The Nestorian Katholikos Timothy I (780-823) for example was determined to represent Christianity in the East, and to dominate all non-Nestorians by mandate from the califs. The most blatant example of the Nestorian resolve grew out of a complex legal battle between the Nestorians and the Jacobites in Baghdad around 1070 AD. The Nestorian Katholikos Sabaryeshu' III (1062-72) called a work stoppage of Nestorian clerks, physicians, and tradesmen, in order to gain an audience with the calif al-Qā'im (1031-1075). Sabaryeshu' was successful in obtaining a restatement of rights granted to his predecessors over all the Christians in Iraq. Other churches strove for similar privileges as opportunities offered themselves.[17]

There was not anything like a system of Mixed Courts, and Jacobites and Melkites would not have graciously wished

Nestorians to superyise mixed litigations. But it did serve the interests of the Nestorians to prevent the other denominations from by-passing their Katholikos to deal directly with the calif. After all, it was just such Jacobite-Nestorian rivalry in the reign of Khusraw II (589-628) which occasioned extensive Sassanid interference into church affairs to the detriment of the Nestorians.

* * * * *

This ephemeral dominance in the law by one dhimmi Christian sect over another was taken up by the Latin Church in the Crusader period. The Latin Kingdom of Jerusalem supported the ambitions of Rome over the various orthodox and monophysite churches, rendering the Holy See more potent over them than the Nestorians had ever been over Iraqi Christians.

This pattern will be discussed in Part Two, where we shall also note how the native Christians, especially the Melkites, were able to resist the Latin efforts.

Before we proceed to survey Crusader Palestine, we will finish our consideration of dhimmi life with a review of how taxation determined relations between ruler and ruled, for this pattern will arise in 12th century Palestine as well.

3. The Collection of the Jizya

Among the many taxes which were assessed by Muslim governments, one was specific for dhimmis as such, the jizya or poll-tax.

a) Assessment of the Poll-Tax

Some schools of Muslim law customarily allowed the jizya to vary in amount between the poor and the rich, while others insisted that it should be the same amount for all, a literal "head tax". Exemptions were commonly granted for monks, widows, children, the infirm, etc.

As with inter-sectarian litigation, the Muslim law books do not extend beyond these general statements, and remain silent on the specifics of the collection of the tax, and of the degree of dhimmi participation in the process. These were mere administrative arrangements. Because of the amount of personal information required to determine which dhimmis were liable to the tax or not in a given tax year, it would be natural for the churches to be involved, to identify which of her members fell into the various exempt or non-exempt categories.

Goitein has clarified the part played in taxation by Jewish leaders. The local Jewish officials had a say in the assessment on their community, and could on their own exempt some persons (the poor, the scholars) by spreading their tax over the rest of the community. In 11th century Palestine, when normal administration was upset by a series of invasions and change of regimes, the Jewish community was charged with a lump sum for the jizya, and were left to collect it as they would, and turn it over to the local ruler. Aside from these refinements, Goitein insists that each individual was contacted

directly by the state authorities for his tax assessment and payment.[18]

Among the Christians, we find the Melkite Patriarch, Christopher of Antioch (960-968) trying to cover the jizya payment for those too poor to pay it themselves, by re-arranging the tax spread within his community. This deal was negotiated with Saif al-daula (944-967) the Hamdanid amir of Aleppo, who responded by mitigating the jizya assessment.[19] Some Muslim tax books provide glimpses into how the tax collectors utilized Church authorities.

We derive some of our best information on the details of the jizya collection from the Egyptian administrator al-Nuwayri (1282-1332 AD), who had experience in Syrian administration as well, at Tripoli. In his account of the actual process of the collection, he mentions a mubāshir al-jawālī (circuit director) who works from a roster (jarīdah) of names. Each year he consults with the head of the Jews, the head of the Samaritans, and the pastors or bishops of the Christians, to up-date his roster and to determine the appropriate tax for each individual, ascertain absentees, deaths, and conversions.[20]

This 14th century account is practically identical with that of another Egyptian Shāfi'ī code, that of al-Shīrāzī (d. 1083 AD). In his description, a monitor ('arīf), appointed by the Imām, assembles the members of each sect (ṭā'ifah) to determine who is to be reckoned as liable to the jizya by reason

of having reached adulthood, and who is to be deleted from the list, due to death or conversion. He also explains how the dhimmis are to assist in ascertaining the exact amount and manner of their poll-tax if the Muslim authorities are uncertain; obviously, custom was respected as normative.[21]

b) Tax Collection

Because the dhimmis' communal structures were utilized in preparing the tax assessments, some administrations may have found the same machinery useful for collecting the tax as well.

While Goitein has shown that the customary leaders of the Jewish communities (geonīm, exilarch, najidīm, ru'asā', and nāsi) were rarely, if ever, directly responsible for the jizya collection,[22] none of his evidence is derived from Christian sources. Yet we possess Christian evidence that this weighty responsibility was laid directly on the shoulders of various Christian hierarchs.[23]

As with inter-sectarian litigation, a suitable mixture of circumstances was required to increase the involvement of Christian hierarchs in tax matters. Michael Morony offers cases from early Muslim Iraq (ca. 676 AD) of Christians who were used as tax-collectors, while at the same time these agents were prohibited by their own Church's canon law from collecting the poll-tax from their bishops.[24] The new and immature Muslim government still had need of such exceptional arrangements, and took what it could get.

Claude Cahen has suggested that while collective responsibility for taxes may have been a feature of the early Muslim period, this arrangement declined as Umayyid administration became better organized, save for such solidly-based Christian communities as in the Lebanon, upper Mesopotamia, and Egypt, where earlier practices may have been maintained.[25]

During most of the medieval period, the Nestorian Katholikos was the only autocephalous Christian hierarch in Baghdad, so it was logical to make him responsible for the jizya due from all the Christians in Iraq. While a burden, this responsibility also endowed the Katholikos with immense opportunity for control over the other churches.[26]

The paucity of the Melkites and the rural dispersion of the Jacobites make it unlikely that these sects had any hand in collecting the jizya from their members. As we have no extant diplomas for the Jacobite maphrian at Tagrit, we cannot rule out the possibility that he was in a position to collect the jizya from his flock at least until the 12th century.

In Egypt, the Coptic Patriarch may have been responsible for the jizya of all Christians, or the Melkite Patriarch may have done so for his small community. The History of the Patriarchs by Severus ibn al-Muqaffa' provides examples of both.[27] There is no reason to suppose that Patriarchal involvement in tax-collecting in Egypt or Iraq was consistent, or that it did not devolve upon metropolitans from time to time. Certainly no Muslim ruler relied solely upon the hierarchy for

communal taxes if he could get it by more direct means. For this reason, Muslim accounts of taxation usually state that the jizya was collected from dhimmis individually, which was the norm.

c) Extortion

Muslim appreciation of the breadth and durability of Christian communal administration favored their centralized hierarchy. We've noted some of the civil and fiscal responsibilities turned over to the Patriarchs. The Muslim use of dhimmi structures often led to the abuses of extortion.

There were lengthy vacancies in the Patriarchal and metropolitan offices at all times, due to internal conflicts in the Christian churches. Muslim interference merely added another complication, as became evident right after the Arab conquest. Early in the 7th century, al-Hajjāj the notorious governor of Iraq prevented the election of a new Nestorian Katholikos.[28] After the death of the Coptic Patriarch Simon I (701), the governor of Egypt, Abd al-ʿAzīz (685-705), withheld his approval for new elections for three years, during which time an administrator (a Coptic bishop) was placed in charge to maintain orderly fiscal continuity.[29] This may refer to general church revenues, and not to monies collected by the church as a fiscal agency of the government.

The recurrent difficulties in Patriarchal and episcopal succession are a further hint of Christian hierarchial involvement in taxation because these vacancies were more often than

not due to extortion by the Muslim authorities for tax money. The major offices remained vacant, sometimes for decades, due to the inability of the church to pay the fee demanded, or in cases of disputed elections, of either candidate to do so.

This suggests that: (a) the Muslims appreciated the structural cohesion of the Christian communities; and (b) there was a pattern of fiscal demand and payment between the Muslim state and the church.

Disputed elections account for a large part of the Muslim interventions into the churches' internal affairs, because they created ideal conditions for extortion. The person elected to fill the chief offices in the dhimmi churches required the approval of the Muslim ruler to enter into his office. So extortion could be used even in uncontested elections.[30]

The conclusion I would like to draw is this. If the hierarchies were expected to produce immense payments at election times, would not the state be tempted to put the same hierarchy to work collecting taxes if for any reason the state was not equipped to do so?

The Jewish community was smaller than most Christian communities, and the absence of extortion reports in their various successions to offices of leadership supports our suggestion. The variety of Jewish communal offices and the relative lack of strict succession procedures led to succession contests and periods of fragmented leadership. The reduced

level of hierarchial structure among the Jews may explain why Jewish leaders were not asked to participate more directly in tax collection--their systems were too inefficient for the needs of the state. The Jewish academies themselves had difficulties in obtaining funding from their far-flung colonies, although the structures for the flow of charity funds were amazingly resilient.[31] Yet Jewish bankers, like Christian bankers, were also pressed to provide loans to the government.[32] If the religious leaders could not meet the state's demands, extortion could be applied to other sectors of the community.

* * * * *

We cannot expect to find a general pattern of dhimmi participation in the jizya collection, for the amount of the jizya and the details of who was obliged to pay it were derived from the numerous treaties made with the local dhimmis, from eastern Iran and Khorasan to the Caucasus, from Egypt down to southern Arabia; and each treaty included local idiosyncracies. Despite this lack of consistency, we can affirm that Muslim regimes expected their dhimmis to cooperate in handling their own inter-communal legal disputes, and in determining the spread of certain taxes within each community, if not help in collecting them. This cooperation was based on the existence of well-structured governments among the Middle Eastern minorities which were still operating in 1098 when the Crusaders arrived in Syria.

And they, no less than the Muslims they defeated, were pressed for money, and appreciated the utility of the organizations of the subject minorities in acquiring the funds they needed. For taxes and for good civil order, the Franks were content to deal with the leadership prevailing among their clients. For this reason, we expect our investigations into Frankish taxation in Palestine (in Part Two) to reveal something about the effective autonomy of the Melkites and other native Christian communities.

* * * * *

Chapters One through Three have shown how the religious and administrative policies of the Muslims supported the development of community autonomy among their dhimmis. For the Christians this meant a religious and civil law code and a centralized hierarchy.

Priesthood had attained near-exclusive control of church offices prior to Islam. The Muslims made the control of bishops and Patriarchs absolute over their faithful in the civil realm as well.

But the religious complexion of community leadership meant that the sectarian divisions among Christians remained from the pre-Muslim era too. The autonomy accorded them as dhimmis solidified the sectarian identities of Christians by means of the elaboration of communal sectarian laws.

* * * * *

To prepare for Part Two and the First Crusade, we will end Part One with a survey of the Melkite community in Palestine in the century before the arrival of the Crusaders.

1. al-Nawawi, kitāb al-Majmūʿ (Cairo 1966-71) vol. xvii, Book on Jihād, chapter on Jizya, p. 257; N. Edelby "l'autohomie legislative des chrétiens en terre d'Islam" (Arch. d'hist. du Dr. Or. V. 1950/51) 308, 313-315.

2. Fattal 346-354. As Mark R. Cohen points out in his thesis, it was the Fatimid wazir Badr al-Jamali who suggested to the Coptic Patriarch Christodoulos (1047-77) to codify Coptic practices into a full-fledged law code; Christodoulos and his successor Cyril II (1078-92) are rightly honored as the founders of Coptic canon law. The Origins of the office of Head of the Jews in the Fatimid Empire (New York, 1976) pp. 127-8. The Canons of Christodoulos are ed/tr by O. H. E. Burmester in (Muséon 45. 1932) 71-84.

We've already noted the early start given to Nestorian canon law, especially in the period after the Muslim conquests; deClerq "Diversitas juridica ecclesiarum orientalium" (Apollinaris 38, 1965) pp. 362-3.

3. Michael the Syrian, Chronique (ed) Chabot, Book XII, cap. xiv, pp. 64-70.

4. On the ḥadīth of the Prophet Muhammad at the Christians of Najrān, see Fattal 355 and the end of his chapter IV, For the recognition by Muslims of the Christian forbiddance of usury , e.g., Ibn Qayyim Ahkām Ahl al-Dhimma, p. 64 [of the text]. On usury itself, see N. Edelby (A.H.D.O. 1950/51) 335-336.

5. As the political theorist al-Mawardi (early 11th century, Iraq) describes the theory of kharadj and jizya, the exact distribution of the tax is originally arranged "avec les chefs des assujettis" and then it is permanent thereafter; each group has its own contract, which will vary from all others; Les Statuts gouvernementaux (tr) E. Fagnan (Algiers, 1951) 304-306.

6. R. Gottheil "Dhimmis and Moslems in Egypt" in Old Testament and Semitic Studies (Chicago, 1908) 366-371, and a representative document , translated on pp. 371-386.

7. al-fatawa al-kubra (Cairo 1966 ed.) II, 191.

8. When one of you has a disagreement with his neighbor, does he dare to bring the matter before a heathen court, instead of laying it before God's people?...If then, you have ordinary matters to be settled, will you submit them to judgment to men who are nothing in the Church? I ask it to shame you. Has it come to this, that there is not a single wise man among you who could settle law with another, and before unbelievers too? I Cor 6:1-6.

Also, its parent: Is it because there is no God in Israel that you are on your way to inquire of Baal-zebub, the god of Ekron? II Kings i 3

[refs. suggested by Sachau (1908) II, vi; and Kaufhold (1971)22].

9. A. Fattal Le Statut légal lists four sorts of cases involving dhimmis with Muslim courts (pp. 350-352);
1) the Muslim religion of one of the litigants
2) mixed dhimmi case, e.g., and Jew and a Christian
3) the nature of the litigation, e.g., criminal matter
4) choice of both the (non-Muslim) litigants

N. Edelby (1950) lists 6 types of such instances (pp. 324-327).

10. Berthold Spuler speaks of the confluence of Melkites, Jacobites, and Nestorians in Mesopotamia; "Die West-syrische Kirche (1958) pp. 326-328 (which is identical to his text in Die Morgenländieschen Kirchen (1964) pp. 195 [77]-197[79].

One sure sign, among dozens, of social fluidity between dhimmis and Muslims, is the explanation for the imposition of distinctive garb for dhimmis; they mix so much with Muslims that one can never distinguish a dhimmi, as in al-Wansharishi Mi'yar §68 (12th century African example). Also, the Muslim law books cite many examples of inter-marriage, dhimmi hiring of Muslims, Muslim-dhimmi business partnerships, lack of ghettos, etc. Thus the picture depicted in E. Ashtor [Strauss] "The Social Isolation of Dhimmis" (1950) 73-94 should be balanced by those in Cl. Cahen "Histoire economico-sociale et islamologie; le problème préjudical de l'adoptation entre les autochtones et l'Islam" (Corr. d'Orient V 5. 1961) 197-215 and S. D. Goitein "Interfaith relations in medieval Islam" (Y. Herzog Mem. Lecture. Columbia Univ. Oct. 1973), and Cl. Cahen "Dhimma" (art.) in EI^2 p. 228. This controversial issue is discussed ahead, in Chapter 8 (note 24) and in Chapter 10, note 19).

11. This is despite the statement by Antoine Fattal: "Comment les dhimmis étaient jugés" (Cahiers d'hist. egypt, 1951), p. 328

> Le juge d'un procès civil ou pénal entre Dhimmis de confessions différentes, soit par example un Juif et un Chrétien, est le juge musulman et c'est la loi coranique qu'il applique. Cependent sous les Abbasides, le catholicos des Nestoriens avait barre sur les Melkites et les Jacobites dans leurs différends avec les Nestoriens.

For evidence, Fattal cites al-Shāfi'ī Kitāb al-Umm, vol. vii, p. 38 of the Bulaq edition of ah 1321/25. That reference concerns only inter-religious litigations, and says nothing about inter-sectal disputes. The Bulaq 1321 edition is rarer nowadays; the 1381/1961 Cairo reprint prints this section on p. 42 and following, vol. vii.

12. al-Nawawi K. al-Majmū vol. xviii 258. M. Hamidullah, a modern scholar on this subject, recognizes the likelihood of disputes between two laws, but only notes that they have to be settled by special courts, which was certainly true in the various Mandate and Colonial Arab territories of the 19-20th centuries, but is not helpful in diagnosing earlier conditions; his introduction to the Ahkām Ahl al-Dhimma of Ibn Qayyim al-Jawziyah, (Damascus 1961) vol. I, p. 90.

The principal sources for this analysis are:

al-Nawawi, Muhrī al-dīn Abu Zakarīya (631/1233-676/1277) a Shāfi'ī.
Kitāb al-Majmū al-Muhaḍḍab [or: Sharḥ muhaḍḍab] (Cairo Zakariya Alī Yusuf) 18 vols. (1966-71), which is his redaction on the fetwa of Abū Ishāq Ibrahim al-Shīrāzī (d. 476/1083) a Shāfi'ī, and includes the Takmilat al-Majmū' of Taqī'l-din 'Alī b. 'Abd al-Kāfī al-Subkī (683/1284-756/1355), also a Shāfi'ī.

Ibn Taymiyya, Ahmad b. Abd al-Ḥalim (1262-1328), a Ḥanbalī.
al-Fatāwā al-Kubrā (Cairo 1966) 5 vols.

al-Wansharīshī (d. 914/1508), a Malakī.
(ed/tr) H. R. Idris "Les tributaires en occident musulman medieval d'après le "Mi'yar" d'al-Wanšarīšī" in (ed) P. Salmon Mélanges d'Islamologie (Leiden, Brill 1974) 172-196.

A. Fattal (1958) Chapter viii, pp. 344-365.

The fetwa of al-Nawawi, collected by his pupil Ibn al-Aṭṭār (as in the Aleppo 1971 ed) include nothing on jizya or the appearance of dhimmis at Muslim courts, nor is there anything on this in Ibn Hajar al-Haythamī (d. 1566) al-Fatāwā al-Kubrā (Cairo 1938) 4 vols. Nor does Taqi'l-din Alī b. Abd al-Kāfī al-Subkī (d. 1355; as above) make any mention of these issues in his Fatawa (Cairo 1937) 2 vols.

13. N. Edelby (1950) p. 315.

14. al-Nawawi K.al-Majmū' vol. xviii 257-8
al-Wansharīshi Mi'yar §32 (10th century Andalus case)

And, of course, the Muslims disapproved of alterations in law as well as in theology among their kitābī subjects, and were themselves the arbitrators of what the true Torah and Injil were. See the extensive Muslim literature about the changes and/or corruption of the Jewish and Christian scriptures, esp. those of Ibn Taymiyya, and al-Ghazali.

Also, S.D. Goitein, "Minority self-rule" (1970) 101-116, his §5.

15. Rabbinical hegemony over Samaritans and (not always) Karaites (sometimes reversed!) is amply attested in the diplomas and responsa collections. Only an exaggerated view of the supposed Karaite aversion for Talmudic legal exegesis would find it incomprehensible that Karaites and Rabbanites could adjudicate mixed litigations among their members on the basis of some sort of common legal traditions.

Millah is the common word used by al-ʿUmarī for all the Jews, and he has this to say about the Samaritans:

> "They are a part of the Jews and do not accept the same bases of [their] religious tenets" al-Ta'rīf p. 144
>
> أنّهم شيعَة من اليهود لا يخالفونهم في اصل المعتقد

Like them, the Karaites are a sect (millah, or nihla) of the larger group (jamaʿah) of the Jews; al-Qalqashandi, xi, 385; al-Umari, 142. The Jews, then, were traditionally considered as one millah, one ummah, despite their internal divisions.

16. Through recall the Donatist appeals over ownership of property. The appeals were made to the Emperor and to the Bishop of Rome. But in this instance, the civil power was Christian, and the Donatists were not formally heretics, and not even clearly schismatics.

17. The incident of 1070 is described in Mari Amri et Slibae De Patr. Nest. Comment. (ed/tr) Gismondi, pp. 125-6 [arab text] and in Assemani BO, III:2, pp. lc-c. The Nestorians were not alone in this endeavor.

After his election as Melkite Patriarch in AD 727 (or 742), Cosmos of Alexandria travelled to Damascus, and with the assistance of Patriarch Theophylactus of Antioch [Melkite] arranged to gain recognition from the calif as supreme Christain authority in Egypt; Papadopoulos HEA, pp. 506-509; Musset, I, 251.

Katholikos Abraham III (905-937) of Baghdad [Nestorian] hindered the attempt of the Melkite Patriarch of Antioch in appointing a permanent Melkite bishop for Baghdad, and persuaded the calif's wazīr to decree that the Melkite bishop in lower Mesopotamia would be only a travelling bishop, visiting Baghdad only occasionally; Bar-Hebraeus Chron. Eccl. part 2, Primates Orientis (tr) Abbeloos & Lamy vol. III, pp. 235-238. Later on, the new Melkite Patriarch of Antioch, Christopher (960-969), a native of Baghdad, obtained permission to let his bishop reside permanently in the capital on the Tigris, despite Nestorian resistance; Edelby (1952) 39-46, and Zayat (1952) 28-29.

18. Goitein "Evidence on the Muslim Poll Tax" (JESHO 6 1963), stated as derived from non-Muslim sources, is also based on non-Christian sources, i.e., only Jewish ones.

19. Zayat (1952) 37-38.

20. al-Nuwayri Kitāb Nihāyat al-ʿArab (Cairo 1932-1931) vol. viii, pp. 228-263. The details of collection are on pp. 242-245. Tax collectors are also called mushrif or mushārif.

The Chapter on jizya, in the book on jihād, in the Kitab al-Majmūʿal-muhaḍḍab of al-Shirazi (d. 1083) and al-Nawawi (d. 1277), Shāfiʿīs, vol. xviii 198-284, makes no mention of collection procedures.

Ibn Taymiyya (1262-1328), Ḥanbalī, in his al-Fatāwā al-Kubrā (Cairo 1966) book on Jihād, chapter on jizya (vol. lv, pp. 613-616), and the work of his pupil ibn Qayyim al-Jawziyah Ahkām Ahl al-dhimma (Damas. 1961) section on jizya (vol. i, pp. 22-42 and up to p. 68 also) offer details which indicate that elaborate records were kept on each person individually.

The Kashf al-Ghammah an jamīʿ al-ammah of the Shāfiʿī al-Shaʿrānī (ca. 1493-1565) Cairo ed. 1964) makes no mention of these matters.

Other comments are derived from A. Fattal (1958) pp. 56-60 and Chapter vii.

21. Kitāb al-Muhaḍḍab fī fiqh al-Imām al-Shāfiʿī (Cairo 1379/1959) ii 254.

22. Goitein (1970) ends with a list of 8 duties of the ra's al-yahūd in Fatimid Egypt, which does not include any taxation duties. In his "Title and Office of the Nagid" (Jewish Quarterly Review 53, 1962) Goitein's No. 14 point specifically denies any tax function to the najīd as well.

And yet, Michael Morony offers this notice: "[In late Sassanian Iraq,], the rabbis who collected the poll-tax from the Jews were in a position to exempt thmselves." (1974) p. 119.

23. Fattal (1958) p. 215. See reference to Goitein's item No. 14 in (1962) article, above; though the nagīd and his rabbinical predecessors were not responsible for the collection of the jizya, they were involved in insuring that the community could, somehow, pay it. In "Muslim Poll Tax" (1963), Goitein makes assertions about the non-involvement of Jewish leaders in having direct responsibility for the tax collection, which then he tries to apply to the Christian context, though his evidence is solely concerned with Jews. See also his Mediterranean Society II p. 38, and al-Qalqashandi, vol. xi, p. 390 regarding Jews and taxation.

The Coptic involvement is exemplified by the incident mentioned in Ibn al-Muqaffa's Historia Patriarcharum Alexandrinarum that, from the years AD 702 to 705, the Patriarchal See was vacant (for various reasons) but in the interim, the governor appointed an administrator for the church, to insure that the collection of taxes continued uninterrupted; Historia Patriarcharum in Patr. Or. V, chapter 17.

24. Michael Morony "Religious Communities" (JESHO 17, 1974) pp. 219-121. Also, after the Arab conquests, many Magian nobles (tax-exempt under the Sassanids) converted to Christianity and rose to high office in the Church, and probably continued to insist on their exemption from the poll-tax, in M. Morony "The Effects of the Muslim conquest on the Persian population of Iraq" (Iran 14, 1976) pp. 54-55.

25. Cl. Cahen "Djizya" (art) in EI^2, p. 561; also his "L'Évolution sociale du monde musulman" (Cahiers de Civilisation médiévale 1, 1958) 462-3, and A.N. Poliak "L'Arabisation de l'orient sémitique" (Révue des études islamiques 12, 1938) esp. pp. 57-60. M. A. Shaban gives details on the manner in which the Muslims made only slight adjustments to the traditional tax collecting methods employed in Egypt, in his Islamic History; a new interpretation; vol. I (AD 600-750) (Cambridge University Press 1971) 37-38.

26. Michael the Syrian offers the remarkable example of the metropolitan of Takrit (the Jacobite maphrian), Basilius, who in ca. 204/819 was responsible for taxation and even tried to impose the poll-tax upon the Muslim residents. The caliph al-Ma'mūn arrested him, and he fled, to return later (A. Fattal, p. 224, citing MS. III 48).

27. Historia Patriarcharum Alexandrinarum, Severus b. al-Muqaffa', (ed/tr) B.T.A. Evetts, in Patr. Orient. (vol. V, caps. 15 & 16, pp. 5-6, 9-10, 18 & 34). After the Arab occupation of Alexandria (AD 642), the Chalcedonian Patriarch Peter sailed away with the Byzantine garrison, and the Melkites were left with only a few bishops for 75 years, while the Copts became the dominant hierarchy. As in Iraq, however, LAW proved to be stronger than dogma, at first, and the Chalcedonians were retained in important posts in Alexandria and in the provinces, by the Muslim governors, resident at Fusṭāṭ (Cairo) for the first century or so.

The office of "augustalis" or prefect of Alexandria remained in the hands of Chalcedonian families, most of them named, it seems, Theodore or Theodosius. The Copt. Patr. Agathon (661-677), John III (677-686), and Isaac (686-689) especially suffered from the extortionist demands of these Melkite prefects. E.g., the prefect Theodore sollicited a diploma (sijjīl) from the caliph Yazīd in Damascus, and with this, collected the poll tax (jizya) himself from the Copts, this during the time of Patriarch Agathon.

The historian Severus describes how the bishops for all the sects met every week in the governor's house to pay their respects; so the hegemony of the Coptic patriarch was not secure by any means until the 9th or 10th century, or even later, when the resident Melkite Patriarchs often lived in Constantinople instead, and Byzantine successes in Syria had lost their force, and the Coptic See was moved to Cairo, the source of power, in the 11th century, much as the Nestorian Patriarch moved from Ctesiphon to Baghdad.

On this, see Paul Kahle "Zur Geschichte des mittelalterlichen Alexandria" (Der Islam 12.1922) esp. pp. 30-32; and Musset Histoire du Christianisme i 201-202.

Archbishop Papadopoulos points out that at a synod held in Constantinople in AD 662, the church of Alexandria was represented by a Theodore, whom Papadopoulos identifies as one of the overseers of the church, and presumes that he's

a presbyter. Could he have been a civil servant instead, the prefect of the city? Hist. Ekkl. Alex. (1935) pp. 503-504.

28. The long introduction to the reign of Kath. Henanischo', based on the history of Yuhanna bar Penakhāyē, in Ed. Sachau Syrische Rechtsbücher vol. ii (Berlin, 1908) pp. vii-xv.

29. Histoire Patriarcharum of Severus b. al-Muqaffa' (ed/tr) Evetts, ut supra. Chapter 17, pp. 48-49. E. Wipszychka Les ressources et les activités économiques des églises en Égypte du 4 au 8 siècles (Bruxelles, 1972) makes no mention of church personnel used as tax agents, but the monograph is not concerned with the office of the Patriarch itself.

30. Otto F. A. Meinardus "Election Procedures for the Patriarchal Throne of Alexandria" (Ostk. Stud. 16, 1967) 132-149, esp. re: the Coptic Patriarchs Simon I, Alexander III, and Khail I (between AD 692-767) whose uncontested elections were all subjected to government approval; and the extreme case of Patriarch John V, whose election (in AD 1147) took place at Government House in Alexandria, in the presence of the governor and Muslim judges (cited from Histo. Patr. III i).
The Patriarchs were finally motivated to abandon Alexandria for good, in favor of Cairo (since 1072, elections had alternated in each city), in order to avoid the election fees demanded by the governor of Alexandria.

31. Goitein Mediterranean Society vol. ii, pp. 8-39. Benjamin of Tudela does mention that the exilarch of his time, in Baghdad, had to pay a fee at his investment (cited in A. Fattal, op. cit. p. 227), but the office of exilarch was quite distinct from any other in Judaism, possessed a greater degree of continuity and a tradition of property ownership than any gaon or later ra's, and so we should not be surprised that the Muslims tended to treat him as they did the Christian Patriarchs.

32. Walter Fischel Jews in the Economic & Political Life of Medieval Islam (London, 1937) pp. 7-8 & passim.

CHAPTER FOUR

Survey of the Melkites in Palestine, Prior to the Arrival of the First Crusade, AD 1099

We must not imagine that the inter-communal patterns among dhimmis and between them and the Muslims [described in the first three chapters] attained some mature form during the early Muslim centuries and remained unaltered until the First Crusade. No sooner had these complex legal and leadership traditions evolved than new historical events altered them. The Crusaders, in fact, came upon the scene just as the Oriental Christians were recovering from two serious alterations in their environment.

The first was political: the decay of the 'Abbasid califate, under whom the status of the dhimmis had become formalized for the most part. This left Syria and Palestine to be divided into the spheres of two new powers, a revitalized Christian Byzantium and a zealous sectarian Fatimid regime.

The second was sociological: the eventual submersion of Oriental Christianity into a Muslim majority due to conversions to Islam, which culminated (in Syria and Palestine) in the early 10th century.

Both of these developments challenged the ability of the Melkite community to adapt and to preserve itself intact, a critical consideration for the century of Frankish domination which was to follow.

In this chapter, we will describe in particular the effects of the political changes for the Melkites. The consequences of the conversion process will become evident in the Appendix (No. One) which follows.

1. Fatimid-Byzantine Relations over Palestine

a) War and Diplomacy

In the early part of the 10th century, two powers began moving into the Middle East vacuum left by the declining Abbasid califate of Baghdad--the Fatimid regime from its headquarters in North Africa, and the Byzantine Empire. The Fatimids nibbled at the western fringe of the Ikshidid domains in Egypt until their Imām al-Muʿizz finally took Miṣr (the future Cairo) in 358/969.

At the same time, the Byzantines culminated decades of campaigning in northern Syria with the brief occupation of the Hamdanid capital Aleppo and the recovery of Antioch, both in 967.

Such a dramatic change in the balance of power also affected the Christian dhimmis. Some Christians now returned to Roman Christian rulership in northern Syria and upper Mesopotamia (e.g., Mélitène), and others experienced dislocations and sufferings as scapegoats on whom was thrown the rage of the Muslims impotent to stop the Byzantine advances.

These are some examples: In 940, the Orthodox church in Ascalon was destroyed, and its bishop, after a futile attempt to seek restitution in Baghdad, retired to Ramlah.[1]

Between 966 and 968, the local governor at Jerusalem subjected the Greek Patriarch, John VII ibn Djamī, to constant harrassment and demands for money. Despite the verbal support given to him by the Ikshidid governor at Ramlah, the Patriarch finally had to flee to the Resurrection Basilica to escape the demands of the city administrator. Then, frenzied crowds of Muslims burned the church down over the Patriarch's head, and burned the Patriarch as well, when he was found.[2]

The Greek Melkite Patriarch of Antioch, Christopher, had proven himself loyal to Saif al-daula of Aleppo. But as that prince grew old and ill and the Byzantine armies drew nearer, the Patriarch's Muslim and Christian enemies assassinated him in 968, just after Saif al-daula's death. The new Byzantine administration sought out and punished the murderers the following year.[3]

And in Egypt, not just the Melkites but Copts and Nestorians were harrassed by mobs, and though the Greek Patriarch Elias escaped alive, a Nestorian bishop was killed, the Coptic Patriarch jailed for a time, and much church property was devastated during the rest of the 10th century.[4]

Peace at home depended upon the lessening of tensions on the border zones. Between 987 and 1038, Byzantium and the Fatimid califs entered into a sequence of truces, mostly over their overlapping claims to the region around Aleppo.[5] The Fatimids were content to arrange exchanges of prisoners, recognition of their suzereinty over Aleppo by the Romans,

and trade agreements. The Greeks had similar interests in trade, and stabilization of the Antiochene region. But in addition, Byzantium desired to obtain the restoration of the personal safety and property rights of the Christian subjects of the Fatimids, especially the Melkites, the rebuilding of the damaged churches and monasteries,[6] and finally, the return of the Melkite Patriarchate of Jerusalem to the Byzantine sphere of influence.[7]

The erratic reign of the calif al-Ḥākim (996-1021),[8] and the brief cession of Fatimid Palestine to the rebellious Banū Jarrāḥ clan (1011-1013)[9] jeopardized these fragile negotiations. But by the end of calif al-Ẓāhir's reign (1021-1035), the personal and property rights of all dhimmis--Jews and Christians--were again secured within the Fatimid domains,[10] and the Resurrection Basilica and other major shrines were rebuilt[11] with the use of some Greek craftsmen and the financial aid of Constantinople.[12]

b) Extension of Byzantine Ecclesiastical Influence

There was little the Greek Emperors and Patriarchs could do to counterbalance the dependence of the Patriarchate of Jerusalem upon Cairo, for the sister Patriarchate of Antioch was now outside Muslim boundaries and so inaccessible to Jerusalem. The career of Patriarch Orestes exemplifies the degree of Egyptian control over Melkite Jerusalem. The sister of Orestes and his brother Arsenius was the wife of calif al-ʿAzīz. She remained a Christian, and at her suggestion Orestes was appointed to the See of Jerusalem (ca. 986) and her brother

Arsenius later raised to the vacant See of Alexandria.[13] Nonetheless, the major treaty of 1033-34 contained a new clause, that the Roman Emperors be allowed to select the Patriarchs of Jerusalem. This clause was not mentioned in any later treaties, but it is easy to see what the Emperor Romanus was after.[14] When Byzantium regained Antioch, its Patriarchs were thereafter nominated by Constantinople, that is, by the Roman Emperor in consultation with the Patriarch of Constantinople and his synod.

The Antiochene candidates, rarely Syrians themselves, were consecrated in the Byzantine capital and soon renounced the Antiochene Patriarch's customary right to be nominated and consecrated by his own metropolitans in Syria; all was placed in the hands of the Emperor and his Patriarch.[15*]

Without benefit of conquest, Emperor Romanus hoped to re-integrate the Melkite Church of Palestine into the larger body of Orthodox Christians, as had been done with Antioch. The prospects seemed hopeful. The first Patriarch of Jerusalem to be seen in Constantinople for a very long time was the Egyptian Orestes who came on a diplomatic mission in 1000-1006. After him, Patriarch Nicephoros, a former carpenter slave of al-Ḥākim, was sent to Byzantium around 1023-24, at which time the Patriarchal synod scrutinized him to verify his orthodoxy.[16] The Melkite Patriarchs of all three Oriental

---

*Topic Three (ahead) will examine events in 10th century Syria in more detail.

Sees entered the religious debates between Rome and Constantinople before and after the Cerulian controversy (1054). Patriarch Euthymius of Jerusalem was called to Constantinople by the new Emperor Alexius Comnenus in 1081, who sent him to treat with the enemy Norman leader Bohemond at Thessalonika. Euthymius retired to Philoppoupolis a short time later. A few years later, his successor Simeon II attended a synod in Constantinople.[17] Some of these hierarchs, especially Euthymius, must have been quite familiar with Greek and the Imperior court to have participated to such a degree in Byzantine affairs. One scholar, Karapiperes, suggests that they were Greek in origin. They lived in Palestine either because they were monks in monasteries there, or taken prisoner in Greek territory by Muslim forces and transported to Palestine.[18]

Notwithstanding this theory and the occasional visits to Constantinople, the Imperial court was never able even to approve the nominations of the Jerusalem Patriarchs during the 11th century, and certainly achieved nothing like its close control over the Church of Antioch. This was due, not to any intransigence by either Egypt or Byzantium in carrying out the clause, but to the fact that Egyptian control over Palestine was rather fitful after 1040: the al-Jarrāḥ (see note 9) continued to roam the area freely,[19] and after 1070, Seljuqs and officers of other Turkish groups parcelled out the region for themselves.[20] Egypt asserted her authority in Palestine only in the wake of seasonal campaigns.

These rivals of Egypt were also unfriendly towards Byzantium, and inhibited communications between Byzantium and Palestine. The Patriarchs of Jerusalem after Nicephoros (1020-48?) were also unable to keep up ties with Egypt; the province was once more isolated. This is the background to other clauses introduced in later negotiations concerning increased autonomy for the Melkite community in Jerusalem.

2. The New Status Quo in Jerusalem

a) Christian Quarter Walls

The treaties make no explicit mention of the fortifications project, which we know of only from William of Tyre a century later. In the face of local resistance to their rule in Syria and disruptions in Egypt, the Fatimids made strategic withdrawals from the interior to the Syrian coast and set about bolstering a new frontier. At Jerusalem, the Christians were given the responsibility for fortifying their sectors of the city wall.[21] The Cairenes anticipated that the Emperor would bear most of the cost, as he had for rebuilding the Anastasis Basilica. Thus shortly before the Seljuq occupation (1071), most of Jerusalem's Christians were encouraged to live together in the western and northern arcs of the city. Here is William of Tyre's account of the wall project, completed in 1063:[22]

> (Constantinus) adjicit conditionem, quod ea lege praedictam sit eis pecuniam largiturus, si apud regionis dominum id obtinere possint, un infra praedictum muri ambitum, quem de imperialibus eleemosynis erigere proposuissent, nulli nisi Christiano habitare liceret...Domino patriarchae et plebi Dei quomodo egerint pandunt

> seriatim. Qui gaudentes verbum amplexi sunt, et ad implendam legem pactorum quam dominus adjecerat Imperator, omni studio fideliter elaborant. Missis ergo nuntiis ad magnum at supremum eorum principem, Aegyptium calipham prosequente eos divino favore apud eumdem praedictam impetrant postulationem, et munimentum eius subscriptione et sigillo corroboratum insuper obtinent.... Designatam muri partem, auctore Domino, compleverunt anno 1063.

When had these new negotiations begun? Constantine IX had entered into talks with Egypt in 1047-48 to renew the truce Michael had made with al-Mustansir.[23] and again in 1053-54 when he sold grain to Egypt to alleviate two years of drought there.[24] After his death, the various husbands of the Empress Zoe--Michael VI, Isaac I, and Constantine X--abandoned their Egyptian alliance and made overtures to the Seljugs.[25]

The rebuilding of the city walls could have taken up to 10 years to complete, so the work may have begun in 1053, shortly after the churches were rebuilt, and completed in 1063, placing the negotiations at the same time as the grain sales.

b) Securing the Pilgrim Trade

Byzantium had further religious objectives in the Holy Land: the revitalization of the pilgrim traffic and the re-establishment of contacts with the Greek monasteries there.

It was the monastic revival within the Byzantine Empire in the 11th century which contributed to the popularization of the Palestine pilgrimage among Eastern Christians. Reforming monks like the young Christodoulos (ca. 1020-1093) visited the Holy Land, sometimes as pilgrims, other times to stay

permanently.[26] As a result, many religious houses in Palestine were linked by the bonds of spiritual discipleship and shared income properties to sister houses on Cyprus and other islands and in eastern and western Europe. Chapter Seven provides more details on the monastic revival in 11th century Palestine.

The pilgrim routes were indeed opened, but the decline of Fatimid influence in the area did not make them any safer. Local insecurity was one of the reasons which led Christodoulos to abandon the idea of founding a monastery along the Jordan River, at Jericho. In 1065, the Emperor Constantine X took personal care to protect the pilgrimage of Mariam, daughter of King Bagrat of Georgia.[27]

Western pilgrims also learned these harsh lessons. The vast pilgrim host led by Archbishop Sigfried of Bamberg and the bishops of Regensburg and Utrecht travelled into Palestine in 1063-64. Dismissing the warnings of the Roman officials at the border near Laodicea, they did endure some dangerous moments at the hands of local bedouin, but finally made their Jerusalem pilgrimage intact.[28]

Arrival at the Holy City did not mean an end to vexations, as we learn from the curious letter wich Pope Victor II sent to the Empress Theodora around 1056, complaining of the treatment meted out to Western pilgrims to Palestine by local Christian officials.[29]

This letter raises the image of Christian officials in Jerusalem taking responsibility for the pilgrims and collecting

fees, presumably to defray the cost of the new Basilica and for the upkeep of the various hospices. But there is not enough evidence to say for whom such agents may have been acting.[30] That is, they may have been agents of the Melkite Patriarch of Jerusalem, or employed by the Byzantine Emperor himself, as the Pope's letter leads us to think. Perhaps in return for his magnanimity in restoring the churches and walls of the Holy City, the Fatimids allowed the Emperor to install his own agents in Jerusalem to oversee these new arrangements.

Runciman sets the problems faced by Western pilgrims in the context of strained Norman-Byzantine relations, but I prefer to think that the Byzantine agents' exactions were no greater than those the Muslims had collected in previous decades. The only difference was that, for the first time, the papacy had a Christian potentate to complain to.

It is no coincidence that two ranks of Greek clerical officials (archons) reappear in these decades at the Holy Sepulcher. Photopoulos has compiled a list of these skevophylax and keimiliarchons attached to the Resurrection Basilica beginning with a certain Agathias in 1050, the first name known in over 400 years.[31] Obviously this lacuna has something to do with the availability of records, but it is plausible to tie the re-appearance of these Greek church officials in 1050 with the revitalization of church life in Jerusalem at the time of the opening of the new Basilica in 1048. The skevophylax and keimiliarchons were also necessary to manage church properties

and incomes, recently increased due to Imperial munificence and gifts from overseas.

c) Autonomy of the Christian Quarter

This was not the sum total of the Church's strengthening at this period. Along with the rebuilding of the city walls adjacent to the Christian neighborhoods and the Basilica of the Resurrection, William of Tyre mentions two other changes: (1) the creation of formal neighborhoods for the Christians, and (2) the recognition of the Greek Patriarch's judicial authority over all the Christian inhabitants of the city. Here are William's words:[32]

> Habitaverant sane usque ad illum diem [1063] promiscue cum infidelibus Sarraceni, sed ad ea hora, audita jussione principali ad alias civitatis partes de necessitate se contulerunt, quarte praedicta fidelibus sine contradictione relicta...Tandem seorsum habitantes sine admixtione zizaniorum degebant quietius; si quas habebant quaestiones, ad cognitionem referebant ecclesiae, et mediante domini Patriarchae, qui pro tempore erat arbitrio, controversias inter se decidebant. Sic ergo ad ea die, et ea ratione qua praediximus, praedicta pars civitatis quarta alium non habuit judicem vel dominum nisi Patriarcham, et eam quasi propriam ecclesia sibi perpetuo vendicavit... Erat autem civitas, sicut et hodie est, in quatuor partes pene divisa aequaliter, ex quibus sole quarta in qua Sepulcrum Dominicum situm est, fidelibus concessa erat ad habitandum, reliquas autem cum Templo Domini, soli infideles habebant domesticos.

Each development raises a question. For the neighborhoods, did all Christians have to live within their own neighborhood? And just what kind of authority is suggested by this increase in the Patriarch's jurisdiction?

As far as we can reconstruct them, the boundaries of this official Christian Quarter extended from St. Stephen's Gate (Damascus Gate today) in the north to the Citadel along the western wall, presumably including the Syrian convent of St. Mary Magdalen in the north and the Armenian center at the Church of St. James south of the Citadel.[33]

While this includes nearly all the Christian shrines, many other holy sites and monasteries remained beyond these boundaries. More important, some of the market areas were also not included in this neighborhood. The significance of the neighborhood boundaries is that the principal institutions of the Christians, their churches and convents, markets and trade centers, were consolidated, not that a strict ghetto was formed. Such informal neighborhoods had always existed. Now they were formalized by the city walls and by explicit communal authority.

d) The Authority of the Melkite Patriarch

What was the nature and extent of the Melkite Patriarch's jurisdiction within this newly consolidated zone?

We have explained how Christian dhimmi primates like the Melkite Patriarchs functioned as the supreme judges of their community, implimenting the sect's laws and customs. For historical reasons (see Appendix One), the Jerusalem patriarchs did not usually receive diplomas from Muslim rulers, but functioned rather as agents of either the Melkite Patriarch of Antioch or of Alexandria. We have also seen that a Melkite

primate's authority could not extend over non-Melkites or non-Chalcedonians unless supported by a local Muslim regime.

The ability of the Melkite Patriarch to extend the scope of his authority depended on the relative strengths of two opposing forces. On the one side, the Muslims did not wish to enhance the status of the Melkite Church, seen as an agent of their Byzantine enemy, nor did the non-Chalcedonian Christians wish to see any increase in the power of an heretical sect among them.

On the other side, the Byzantines used what leverage they possessed with the Fatimids (grain sales for example) and the Seljuqs (assistance against mutual enemies like the Danishmenids) to favor the status of the Melkites in Palestine and especially in the Holy City.

Did the treaties of 1027, 1038, and 1047, the rebuilding of the Resurrection Basilica, and the Imperial support for rebuilding the city walls break this stalemate? There is no evidence one way or another, except for two not un-related developments. (1) For the first time that we know of, a Greek Melkite Patriarch of Jerusalem received a diploma from a Muslim calif; that given by the Fatimid al-Ḥākim to Patriarch Nicephoros in 1021 (see note 11). And (2) during the mid-11th century almost all the non-Melkite Christian communities lacked a leader; their chief bishops were absent. Referring to the lists of Christian hierarchs in Appendix Two, the reader will see that the Jacobite line of bishops in Jerusalem shows a gap

between a Thomas in 969, and another Thomas in 1090. The Armenian line stops at Arsenius (1006-1038) and picks up again only in 1090 with Symeon. A Nestorian bishop for Jerusalem is known only in 1065.

In addition to being relieved of competitive hierarchs in Palestine during these decades, the Melkite Patriarch was not the only Chalcedonian bishop in the area. While the Appendix shows a Jacobite bishop in Tiberias in 1007, only the Melkite Patriarch headed a viable province with suffragan bishops. For instance, we know of the existence of a number of Melkite bishops during this period: Anastasius of Caesarea (d. ca. 1095), Theodore of Sebastea (ca. 1085), Samonas of Gaza (ca. 1056), Antonius of Ascelon (ca. 1099), an anonymous in Scythopolis (ca. 1020), and the many incumbants in Sinai.

The Greek Melkite Patriarch in Jerusalem was thus in a strong position to exercise some limited authority over non-Chalcedonian residents of the Holy City,[34] from about 1040 to 1090. The expansion of Melkite authority would not have been too obnoxious to the other Christian sects, for the Patriarch oversaw only a few types of civil cases, as we explained in earlier chapters. For different reasons, the non-Chalcedonians and the fitful succession of Muslim regimes governing Palestine might even have appreciated the Patriarch's role as a judge and arbiter, and perhaps as a tax-collector, given the isolation of interior Palestine from Egypt and Byzantium after 1070.[35]

3. Comparison to Developments in Syria

The return of Byzantine rule in the region around Antioch created a very awkward problem for the Syrian ecclesiastical province. As this anticipates conditions in Palestine in the following century, we will take a brief look at it. This was the problem of the splitting of a once politically unified province into Byzantine and Arab sectors.

These events of the mid-10th century reversed similar circumstances of the mid-7th century. During the first Muslim occupation of Syria, some dioceses belonging to Antioch in the metropolitanates of Seleucia of Isauria, Tarsus, and Anazarba, remained in Greek hands. These were simply transferred to the Patriarch of Constantinople to administer, leaving to Antioch a province now wholly under Muslim rule. After the Byzantine reconquests of the 10th century, most of these eparchies were returned to Antioch's jurisdiction. But the Byzantine armies hadn't regained more than the NW to NE arc of the old ecclesiastical province, leaving the metropolitanates of Bosra, Damascus, Tyre, Apamea, and parts of Hieropolis/Mabbug, Edessa/Urfa, and Amida/Diarbekir under Arab control. How did the church administration of the province of Antioch manage these two antagonistic political zones?

We have absolutely no idea; I may simply point out that there may have been nothing to administer. Appendix Two shows no name of a Greek bishop for any Antiochene suffragan in Muslim territory from 969 to 1083 except the martyred

bishop Sergius of Damascus (ca. 1025) and the nameless bishop of al-Bara (1081).[36] The former's fate speaks ill of the chances of survival of Greek bishops "behind enemy lines", and the latter bishop was not resident at al-Bara but manned the Greek fort at Shaizar until he traded it off to the Turks and returned to the Byzantine zone.

Except during actual military campaign seasons however, Melkite bishops were probably able to cross the Byzantine-Aleppan or Byzantine-Seljuq borders, as did the Syrian monophysite bishops.

The Chalcedonian Church was not able to maintain a stable structured administration in Syria outside Roman boundaries from around 960 until 1071 (the Roman defeat at Manzikert) or 1085 (Turkish capture of Antioch). After that, matters returned to their pre-Byzantine status with Muslims ruling almost all of the Patriarchal province, eliminating most of the internal political boundaries.

This geographic division in the ecclesiastical province was further irritated by cultural or racial changes in the Patriarchs themselves. After the murder of Patriarch Christopher (960-969), all his successors in Antioch up to and including John the Oxite (1084?-1100) were chosen from the ranks of the Byzantine clergy.[37] No native Syrian Melkites were advanced to the throne save Sophronius in 1051, who may have been a local candidate.[38]

Besides the strain this may have created within the Melkite community between Hellenophones and Syro-Arabophones,

the Hellenization of the Patriarchate did not enhance the ability of the Patriarchs to deal with the neighboring Arab rulers in favor of the Melkites living in their domains.

The Melkite province of Palestine underwent the same fissuring as Antioch in the wake of the First Crusade. In Chapter Six we will describe how the Greeks of the Jerusalem province dealt with this problem.

* * * * *

The Melkite community of Palestine had been quite vital and well-organized just a few decades before the First Crusade entered the province from Lebanon. But all her advantages were nullified by the corrupt and parasitic administrations of ʾUtsaz ibn ʾŪq (1071-79) and the Ortoqids (1079-1098). The sterness of these Turkish rulers quickened the ill reports which reached Europe about the decline of the Church in the Holy Land. But these same depredations so weakened the Christian Churches, especially the Melkites, that they were too weak to reassert themselves once their erstwhile rescuers had arrived from the West.

1. Yahya ibn Sa'id al-Anṭakī Chronicle (ed/tr) Kratchkovsky and Basiliev Patrologia Orientalis xviii:5 and xxiii:3 (Paris, 1924, 1932).

2. Yahya, pp. 90, 101-104 [pagination continuous in the Patrologia Orientalis fascicles] George Kedrenus Synopsis Historion CSHB (1839) p. 374 [all citations from volume 2].

3. Yahya, pp. 80, 100-101, 110-111. Kedrenus, pp. 374-5; Habib Zayat "Vie du patriarch melchite d'Antioche Christophore," POC 2, 1952) 11-38, 333-366.

4. Yahya, pp. 81-2.

5. A Byzantine-Fatimid treaty was first signed in 942, before the Fatimid entry into Egypt; Kedrenus, p. 357. Dölger Regesten der Kaiserurkunde, fasc. 1 (München/Berlin 1924) no. 603. A 7-year truce in 377/987 called for an exchange of prisoners, the invocation of the khutba (sermon) in the name of the Fatimid calif in the mosque in Constantinople (displacing the name of the Abbasid calif), unimpeded trade, and, according to al-Aini, the Emperor Basil was allowed to provide funds for the restoration of the Resurrection Basilica and other holy sites; Dölger Regesten, No. 770; Schlumberger L'Epopée byzantin (Paris, 1896) vol. I, pp. 730-1; Ibn al-Athīr al-Kāmil fi'l-Tarikh (Leiden 1862-1876) sub anno 386.

In 1000 A.D., the Egyptian delegation, headed by the Patriarch Orestes of Jerusalem, travelled to Constantinople. This time, a 10-year truce was arranged, which went into effect in 1001; Dölger Regesten, No. 788; Ibn al-Athīr, ix, 86 (Thornberg ed.); Yahya, p. 253; Schlumberger, II, 112-3,201-3.

Sitt al-Mulk, regent (1021-1025) for her brother al-Hākim's young son, the calif al-Zāhir li'Izāz din-allah (1021-1035) opened negotiations with Byzantium, through the intermediary Nicephoros, the new Melkite Patriarch of Jerusalem. Another account has Nicephoros dying at Sur/Tyre or Tripoli, on his way to Constantinople. His successor, Ioannikos, then continued the journey and fulfilled Nicephoros' mission; Papadopoulos Historía tès Ekklèsías Hierosolymōn (1910 ed.) p. 362.

In 1027, Constantine VIII (1025-1028) concluded an agreement with Egypt. At this point, refer to Abbas Hamdani "Byzantine-Fatimid Relations before the Battle of Manzikert" (Byzantine Studies [Pittsburg] 1, 1974) pp. 169-179.

Dölger knows only of this truce of 418/1027, and then of the subsequent one with Michael the Paphlagonianin 1036, and nothing of any truce during the reign of Romanus Argyrus (1028-1034), though the sources often speak of constant negotiations during this time. The difference between the two trends in the negotiations is between a renewal of the 7-year truces, and a 30 year treaty, which followed later.

The terms of the 7-year truces were: (1) re-activation of the mosque in Constantinople, and the prefacing of the Khutba with the name of the Fatimid calif; (2) reversion to

Christianity of those coerced to turn Muslim during the campaigns of al-Ḥākim; (3) Byzantine financing to be given to the work of church restorations in Palestine; (4) appointment of the Patriarchs of Jerusalem by the Roman Emperor. Dölger Regesten, No. 824; Yahya, ut supra; Maqrizi Khitāt, ii:169 [= al-Shayal, ed. of ʾItti'āz, p. 275]; Wüstenfeld, Geschichte der Fatimiden chalifen (1881), 224; Schlumberger, III, 23.

6. Patriarch Thomas II of Jerusalem (969-979) undertook repairs to the Holy Sepulcher, with the help of a Jacobite kātib named ʿĀlī ibn Sawār ibn al-Ḥammān, and his successor Patriarch Yūsuf (980-984?) continued the work, supported by the synkellos Ṣandaqah ibn Bishr, but their efforts were limited, as the dome remained in a ruined state. Yahya, pp. 104-105.

In this instance, a synkellos would have been the secretary to the Patriarch or some bishop, and it could be held by a layman, so perhaps ibn Bishr was an important scribe and government clerk, in a position to control considerable funds, and holding the honorary title of synkellos. The mention of these patrons shows that financial support wasn't yet available from Byzantium, though repairs made over a century before, under Patriarch Thomas I (807-821) had drawn upon wood from Cyprus; Vincent & Abel (see below, n. 7)p. 220.

When Patriarch Orestes of Jerusalem was absent in Constantinople, his brother Arsenius, recently appointed to the Melkite See of Alexandria (ca. 1000), oversaw the administration of his brother's province (Palestine) as well, including the slow repairs to the Resurrection Basilica. According to Yahya, p. 105, Arsenius was able to finish repairs to the Church's dome, thus erasing the last vestiges of the fire of 968.

7. Fatimid permission for the Greek Emperor to patronize the repair of the churches was an obvious prelude for this. On this topic in general see:

Patriarch Dositheos Notaras of Jerusalem Historía perì tōn en Hierosolymois Patriarcheusántōn (Bucharest 1715) quoted in A. Papadopoulos-Keraméos Analekta Hierosolymitikès Stachylogías, vol. I (St. Petersburg, 1891) pp. 233-237 [= Chapter 41 of Dositheos].

Gustave Schlumberger L'Epopée byzantine (Paris 1905) 3 vols.

Chrysostomos Papadopoulos Historia tès Ekklesías Hierosolymōn (Jerusalem & Alexandria 1910) pp. 355-368 [re-issued & updated; Athens 1970].

Fr. Dölger Regesten der Kaiserurkunden des Oströmischen Reiches, fasc. I & II (München/Berlin, 1924, 1925)

Hughes, Vincent & F.-M. Abel Jérusalem: II, Jérusalem nouvelle (Paris, 1926) pp. 220-261.

Kallistos Mèliaras Hoi Hagioi Topoi en Palaistinè kai ta ep' autōn Dikaia tou Hellènikou Ethnous (Jerusalem, Greek Convent Pr. 1928) vol. I, pp. 272-275.

Steven Runciman "The Byzantine Protectorate in the Holy Land in the XI Century: (Byzantion 18, 1948) pp. 207-215.

Nicephorus Moschopoulos La Terre Sainte (Athens 1956) pp. 107-110.

Timothy Themèlis Les Grecs aux Lieux Saints (Jerusalem 1921) pp. 7-12.

8. These cautious recoveries from the consequences of the Byzantine military offensives into Syria of the last 50 years were ruined for the Palestinian Church when the calif al-Hākim ordered the destruction of the Holy Sepulcher and of other shrines in 1009. The governor at Ramlah and his son carried out the calif's commands, and only the more massive and durable portions of the building remained after their work.

Sources: Yahya, pp. 283-4; Schlumberger L'Epopée cites Kedrenus at p. 233 of the Bonn ed., but nothing at that page relates to this topic; Zonaras (1897 ed.) III, 562-3; Severus ibn al-Muqaffa' (1943 ed.) II:3, p. 194 [= fol. 150v in Arabic]; Ibn al-Athīr, sub anno 398/1007; Wüstenfeld, p. 191; Wiet L'Egypte arabe (Paris 1936), p. 206; al-Maqrizi Khitāt, iv: 71, as cited by al-Shayal in his ed. of Maqrizi's 'Itti'āẓ al-Ḥunafā', p. 306. The chancellery officials who signed the destruction orders were also Christians. These sources are analyzed in M. Canard "Le destruction de l'église de la Resurrection" (Byzantion, 35, 1965) pp. 16-43.

9. The Banū Jarrāḥ were a tribe of the Tayy (طَيِّئ) who had dominated southern Palestine and Moab for several decades. The Egyptian authorities had sent troops against them as far back as 370/980, Ibn al-Athīr, sub anno 370 . The sheikh of the tribe, al-Mufarraj, chased the Fatimids out of Palestine around 1011, Yahya, pp. 296-298, 312. Kedrenus, in MPG, t. 222, cols. 233, 244; Vincent & Abel, pp. 243, 271; Ibn al-Athīr, sub anno 414 ; Wiet, p. 210; Wüstenfeld, pp. 193-196.

This new bedouin state took two steps to bolster itself. The Sharīf of Mekka, Abū'l-Farāj al-Ḥasan ibn Ja'far al-Ḥisanī, was persuaded to proclaim himself calif, and was brought north to Ramlah, the Jarrāḥ capital. Then a lenient policy was adopted toward the dhimmis, in order to win favor with Byzantium. After the death of Patriarch Orestes outside Palestine in 1006 (the aura of martyrdom soon surrounded Orestes, who has acquired a feast day on 17 May. His brother Arsenius was martyred in Egypt in 1010, and also has a feast day.), al-Ḥākim had not permitted new elections; al-Mufarraj did so, and Theophilus began his reign as Patriarch of Jerusalem (1012-1020) and work was begun again on the ruins of the Holy Sepulcher, sufficient to permit resumption of services on the site.

The death of al-Mufarraj in 404/1013 ended this experiment, and his son Hassan returned to his desert home, though not for good. Patriarch Theophilus left Jerusalem and lay low, until al-Ḥākim permitted him to return to his See; the Jarrāḥ calif retreated to Mekka and found the forgiveness of the Cairene calif.

10. During the last six years of his reign (1015-1021), al-Ḥākim fitfully--as he did nost things--allowed his dhimmi subjects to enjoy their customary autonomy, and many of the Christians and the fewer Jews who'd been coerced to turn Muslim were let to revert to their fathers' faith; Yahya, (ed) L. Cheikho (CSCO, Scr. arab., ser. iii: 5.vii) (Paris 1909) pp. 231-232; Severus, p. 208 [= fol. 153v, in the Arabic]; Ibn al-Athīr, sub anno 411 .

11. The trading community of Amalfi was allowed to open a pilgrim church and hospice in Jerusalem, the famous Church of St. Mary Latin:

Runciman, op. cit. Kallistos Mèliaràs To en Hierousalèm Monastèrion tou Hagiou Iōannou (Jerusalem, Hagiotaph, 1923) pp. 29-30, 40-52. This Greek monastery was next to St. Mary Latin, and was later the first residence of the Knights Hospitallers. Mèliaras Hoi Hagioi Topoi p. 274. Also, see ahead Chapter 7 for the building of the monophysite xenodocion in Jersalem at this same period.

When Patriarch Theophilus died around 1020, the calif sent up from Egypt as his successor Nicephoros the carpenter, a widower with children (reg. 1020-1048), provided him with a diploma of protection, and encouraged the rebuilding of the Resurrection Basilica and also the shrines at Bethlehem and Lydda; Yahya, CSCO, pp. 228-231.

Patriarch Dositheos passes on this account, supposedly drawn from Kedrenus: "Maria, the wife of al-ʿAzīz, was a Christian, taken captive long before. She was ashamed of the destruction which had been done, and with the permission of al-ʿAzīz's son [al-Ḥākim] she encouraged the rebuilding of the Sepulcre, though the principal supporter was a certain man named Nicodemus, who arranged for the marble and stone to be brought in.", in his Chapter 41 [in Analekta, ut supra]. vol. I, p. 254.

Earthquakes from 1033 to 1037 wiped out much of the previous work of church restorations; Mujīr al-din notes severe earthquakes in 425/1034 and 460/1068, see p. 69. Also Glykas, CSHB, p. 587 and Kedrenus, CSHB, pp. 511 and 516; and Yahya, CSCO, p. 272.

New construction thus, was begun especially on the Resurrection Basilica and in Bethlehem and Lydda, in 1042. The local patron this time was a retired courtier, John Carianitos, whom Emperor Constantine IX Monomachos (1042-1055) permitted to leave the capital for Palestine; William of Tyre, I: vi; Vincent & Abel, p. 261; Schlumberger, III, 566. The marvellous new Anastasis was completed in 1048.

12. The real thaw between Egypt and Rome began around 1033. There had been earthquakes in Palestine in that year, and al-Ẓāhir allowed the Emperor Romanus to send money to Jerusalem for repairs, Yahya, CSCO, p. 271, and Schlumberger, III, 128-9. Romanus concluded a 7-year truce and prisoner exchange shortly thereafter; Zonaras, xvii.11 (= Bonn ed., pp. 576-9). Scylitzes, sub anno AD 1023 (= Bonn ed. pp. 501-03). William of Tyre, I:vi (in RHC: Occid. vol. I). Vincent & Abel pp. 250, 942. Themèlis, pp. 9-11. Chry. Papadopoulos "Hè Ekklèsía Antiocheías epì tès Kyriarchías tōn Seltzoykidon kai tōn Frankōn en Syría" (Theología [Athens] 16, 1938) p. 97.

The participation of the Emperor Constantine IX allowed materials to be brought in from abroad, Cyprus for instance, as well as funds from the imperial treasury, but the craftsmen were most likely local. All they'd previously lacked were the funds and the materials. Nurith Kenaan "Local Christian Art in 12th century Jerusalem" (Israel Exploration Journal 23, 1973) 167-175, 221-229. The use of native, Syrian, artists is not contradicted by the use (& retention under the Crusaders) of Greek inscriptions; see Vincent & Abel p. 261. Also Steven Runciman History of the Crusades, vol. I, pp. 36-7.

13. This pattern worked both ways, for the small Greek community in Egypt often drew upon Palestinian monks for their Patriarchs: Ishaq of Sinai, Patriarch of Alexandria (941-954) had been unwilling to accept the nomination, and was finally tracked down by soldiers and taken to Jerusalem, where the Egyptian delegates and the Patriarch of Jerusalem retrieved him; Elias, Patriarch of Alexandria (963-1000) had been abbot of the Judean monastery of Chariton when he was called to the See, Yahya, pp. 28-9, 44-5. Patriarch Yūsuf of Jerusalem (980-984) had been a physician in Egypt, ibid. p. 200, where Yahya also notes that Patriarchs Christodoulos II and Yūsuf of Jerusalem, (966-969) and (980-984) respectively, spent much of their time in Cairo, and were buried there.

14. Yahya, CSCO, pp. 276-271, where the phrase is يحتبر بطريركاً and إصْلاح بطريرك for which the Greek version has διωρθωσε . Now "iṣlāḥ" means restoration, and "ṣayyara" means to bring about; the Greek verb means, to fix or appoint. Themèlis (1921) [French version] has "rétablirait" (p. 9) and the Greek version (1919) has αποκαθιστα (p. 13). The old Greek version of Yahya is in Meliaras Hoi Hagioi Topoi, pp. 260-261.

15. V. Grumel "Le patriarcat et les patriarches d'Antioche sous la seconde domination byzantine" (EO 33, 1934) pp. 129-147. Also Grumel Les Actes des Patriarches de Constantinople, fasc. ii (Istanbul 1936) Nos. 796, and fasc, iii (Istanbul 1947) No. 859. And, Grumel "Les patriarches grecs d'Antioche du nom de Jean" (EO 32, 1933) 279-299. Dölger Regesten, no. 759.

16. Yahya CSCO p. 343-4.

17. Papadopoulos Historía tès Ekklèsías Hierosolymōn p. 368-9 (1910 ed.). Runciman History vol. I, p. 76 says that Patriarch Euthymios was back in Jerusalem in 1089; however, at the synod held in Constantinople in 1086, condeming Leo of Chalcedon, Patriarchs Symeon of Jerusalem and John of Antioch were both present, V. Grumel "La chronologie des patriarches de Jérusalem sous les Comnènes", Récueil du Prof. P. Nikov (Sofia 1940) pp. 109-110.

18. M. K. Karapiperes "To Patriarcheion tōn Hierosolymōn 451-1951" (Nea Sion 36, 1951) pp. 162-4.

19. Wüstenfeld, p. 229.

20. Mujīr al-din Histoire de Jérusalem (tr) H. Sauvaire (Paris 1876) p. 69-70.

21. Inscriptions marking al-Ẓāhir's building projects in Jerusalem around AD 1034-35 are Nos. 2404 and 2409 in volume 7 of the Répetoire chronologique d'épigraphie arabe (Cairo, Impr. Inst. Franc, 1936) pp. 3, 6-7.

22. William of Tyre, IX:xviii. Analysis of this is by Joshua Prawer, "The Settlement of the Latins in Jerusalem" (Speculum 24. 1952) esp. pp. 490-4. Also Meliaras Hoi Hagioi Topoi, I, p. 272-3. Jacques de Vitry Hist. Orient. cap. 64 (= p. 1082, Bongars ed.).

23. Dölger Regesten, No. 881. This was followed by the Aleppan treaties with Byzantium in 443 , and with Egypt in 448 , per Ibn al-Adīm, Zubdatu'l-Ḥalab (ed) Dahhan (Damascus, 1951) vol. I, pp. 268, 274.

24. Dölger Regesten No. 912. Glykas p. 597. Kedrenus p. 607. Wüstenfeld, p. 250. Schlumberger, III, 611-2. Michael Atteleiates CSHB pp. 46, 49-50.

25. The mosque in Constantinople was turned over to the Sunnis, in the name of the Sultan Tughril-Beg, in 1055. See Ibn al-Athīr, sub anno 455 , and Wiet, p. 230, and Wüstenfeld, p. 250.

26. In addition to Christodoulos, we can cite a few Greek and Armenian monks who visited Palestine; St. Simeon the Armenian, visited Palestine on his way to Rome in 980; another S. Simeon, from Sicily, spent 7 years in Palestine in the 1020's, then lived in the Sinai, before moving on to Trèves, where he died; S. George the Hagiorite, a Georgian monk from Antioch, spent time in Palestine in the 1030-40's; S. Neophyte Enkleistos of Cyprus, visited Palestine as a young

novice in 1157-58; and S. Nicon of Black Mountain near Antioch, whose pupil Gerasimos became a monk in Palestine in the 1070-80's, etc.

The re-opening of channels between the Melkites of Jerusalem and the Byzantine Orthodox is also shown by the liturgical practices of the Melkites in the Anastasis, some of which found their way to Constantinople in the 10th century; Diane Touliates-Banker "The Asmatikos Orthros", presented at the 4th Byzantine Studies Conference (Ann Arbor, Nov. 1978).

27. Dölger Regesten, No. 956. Martha was probably the daughter of King Bagrat, and made a pilgrimage to Palestine in ca. 1065. Miriam, or Maria, Bagrat's mother and Martha's grandmother, also made the pilgrimage to the Holy Land a few years later. They both started out from Constantinople, sailed to Antioch, and travelled inland from there. See P. Peeters "Histoires monastiques géorgiennes" (Anal. Bolland. 36-7, 1917-1919) esp. pp. 106-107.

28. Papadopoulos Historía tès Ekklèsías Hierosolymōn 364-5 (1910 ed.). S. Runciman "Byzantine Protectorate" (1948) p. 221.

29. Runciman, op. cit. p. 210. Further analysis of the letter is given Riant in "Inventaire critique des lettres historiques des Croisades" (Archives de l'Orient Latin 1, 1881) No. xvii, pp. 50-53. The text is in Migne MPL tome 149, cols. 961-2.

30. As another source interprets this:

> Ce fut alors (1033), probablement, que les Mahométans, soit pour empêcher l'affluence en masse des pèlerins, soit ce qui est plus probable, pour exploiter les pèlerins, exigeaint de chacun des pèlerins un impôt d'entrée à la ville sainte, une monnaie byzantine d'or d'une valeur de 5 dollars espagnols, d'après Gesta Conculum Andegasensium, chez Achery Spicileg. X:iii, 252. Guillaume de Tyr, I:10, au meme siècle, parle de cet impôt sans fixer le temps au juste.

T. Themèlis Les Grecs aux Lieux Saints (Jerusalem 1921) pp. 10-11 [= p. 15 in Greek ed. (Athens 1919)].

31. See Chapter 8, topic 3.

32. The neighborhood boundaries were from Jaffa [David] Gate to Damscus [St. Stephen's] Gate, as presently named. See William of Tyre, IX:xviii and XVIII:v, embellished by V.

Laurent in Corpus des Sceaux de l'empire byzantin V:2 (Paris 1965) p. 395, and Chry. Papadopoulos Historía tès Ekklèsías Hierosolymōn, pp. 364, 367-8 (1910 ed.)

33. See the map of 10th century Jerusalem in Vincent & Abel, p. 940; or D. Bahat Historical Atlas of Jerusalem (New York, Scribners 1973), or a similar Carta map in Prawer "Jerusalem in Crusader Days" in Jerusalem Revealed (Yale 1976) 105, and more critical maps in the writings of John Wilkinson, and Bargil Pixner.

34. H. E. Mayer disposes of any notion that the Melkite Patriarch's authority would have extended over Muslims living in his domain, Bistümer, Klöster u. Stifte im Königreich Jerusalem (Stüttgart, Hiersemann 1977) p. 12. We're pointing out that it may not even have extended over non-Chalcedonian Christians. The Fatimid diploma from AD 1020, in Yahya, makes no mention of legal responsibilities, only the protection of properties.

35. See Chapter Two, topic 3, at note 14 for discussion of the infrequent Melkite synods. Kallistos Meliaras discusses Jerusalem's relative isolation during these centuries, in Hoi Hagioi Topoi (1928) vol. I, pp. 237-248.

36. Ousāma ibn Mounkidh; I, Vie d'Ousāma, by H. Derenbourg (Paris, Leroux 1889) p. 24. Also see Hierarchy lists in Appendix Two.

37. V. Grumel "Le patriarcat et les patriarches d'Antioche" (1934) 129-147. Chry Papadopoulos Historía tès Ekklèsías Antiocheías (Alexandria 1951) pp. 832-867. Asad Jibril Rustum Kanīsatul Madīnat-allah Anṭakīyat al-ʿUẓmā (Beirut 1958) vol. II, pp. 196-233. Cyril Karalevsky, "Antioche" (art) in Dict. Hist. Géog. Église (Paris 1924) vol. III, cols. 604-608. Dolger Regesten, No. 723.

38. This is a conjecture presented in R. Jenkins and C. Mango, "A synodicon of Antioch and Lacedemonia" (Dumbarton Oaks Papers 15, 1961) p. 234.

APPENDIX ONE

Profile of the Melkites and their Relations with other Christians during the 11th and 12th centuries

This Appendix provides some statistical profiles of the Melkites and other Palestinian Christian sects of the 11th-12th centuries, and describes the relations the Melkites had with their Christian neighbors. With these details in hand, the reader will be prepared for our description of the basic elements of the Melkite community in 12th century Palestine, and the impact the Frankish administration had upon them, which is taken up in Part Two.

1. Melkite Relations with Other Christian Communities

The profiles presented here were those in effect around AD 1000. The process of conversion of Christians and Jews to Islam had reached its peak around this time; in Syria and Palestine the majority of the once-Christian population adopted Islam by AD 980 (= 370 AH), leaving a ratio of dhimmis to Muslims which had remained to the present day.[1] In AD 800, the majority of the native populations of Egypt and Syria had not yet made this transition.

The loss of the bulk of the faithful meant a radical curtailment of ecclesiastical offices and structures, and brought about psychological changes as well. The self-image

of Christian society was altered to accord to minority status and relations among Christians became more tense, as proselytization could only be at the expense of threatening some sects with extinction.

The first task in describing the composition of the Melkite community is to clarify the bases of Melkite identity. A brief look back at the Terminology section will reveal that one cannot simply identify all Syrians (by race) with the monophysite cause, or Persian Christians with Nestorianism. Such labelling is too gross to take account of the variety of motives which decided into what communion Christians fell. Melkites were not composed exclusively of racial Greek or Byzantine subjects (merchants, e.g.). The bitterness which surrounded the intense proselytization carried out by all the Middle Eastern denominations among eachother came about because these religious appeals cut <u>across</u> cultural and racial boundaries, dividing communities which otherwise shared most other aspects of life.

The caricature of Melkite=Greek was true, if anywhere, only in EGYPT. The Melkite Patriarchs maintained their seat in the port city of Alexandria, where the bulk of the region's Greeks lived. THe Cōpts were dominant in the rural areas to the south. So while the advent of Muslim rule allowed the Coptic Patriarchs to reside again in Alexandria, they did not favor this Hellenistic city. As part of their administrative reorganization, the Fatimids invited the Coptic Patriarch to move his administration to the Muslim capital of Cairo in

1077, though Patriarchal elections were held alternately in Alexandria and Cairo for a few centuries thereafter. The Melkites sensed the advantages of being close to the califal court, and their primates moved to Cairo a few decades later.

Despite the smallness of the community -- Melkites formed less than 10% of Egyptian Christians -- their Patriarch usually received a diploma like his Coptic counterpart, granting him autonomous authority over his flock.

In SYRIA, the proximity of Antioch to the Byzantine frontier, and the Byzantine re-entry into the region (967-1085) allowed the Greek community to dominate Antioch and the coastal towns, But the Melkite hierarchy also extended deep into the interior, to Melitene, Edessa, Aleppo, Mosul, Nisibis, and even Baghdad. These extensions followed the Greek merchants along the trade routes, but were also meant to serve some Syriac-speaking congregations.[2]

Melkites were a majority only in Antioch and the coastal cities. So potent was the Greek community even under Muslim rule that Jacobite Patriarchs (heading the next largest sect) only twice resided in Antioch, and rarely visited it.[3] In addition to Syrians, other races were represented in the Melkite Church, such as Georgians, Armenians, and Arabs. Some of these had their own national bishops, but they were subject to Greek-rite archbishops.

Like his confrere in Alexandria, the Melkite Patriarch in Antioch received his diploma from his Muslim overlords, usually of Damascus or Aleppo, or from the calif in Baghdad

(except when Antioch was under Byzantine rule). The Melkite Patriarchs ruled over 80% of the Christians in Antioch and in such coastal cities as Gabala, Latakia, Tripoli, Sidon, etc. In Edessa, probably only 12% of the Christians were Melkites (in the 10th cent.), less in Aleppo, and more in Melitene, though population changes were frequent in this frontier region.

The Patriarch of Antioch was also responsible for MESOPOTAMIA. A few Melkites, composing only 7-10% of the Christian population, lived in Baghdad, Bosra, Mosul/Nisibis, and the new Arab towns founded by prisoners from raids into Byzantine territory. The Nestorian Katholikos (who resided in Baghdad) and the Jacobite Patriarch were accustomed to receive their diplomas directly from the calif. Christopher of Antioch (d. 967) -- a native of Baghdad[4] -- was the last Melkite Patriarch to deal with Baghdad, as Antioch was incorporated into Byzantium in the following year. This created some awkwardness when most of the ecclesiastical province of Antioch remained under Muslim rule during the 10th/11th centuries. However, the actual number of Melkites was small in the eastern regions, and so many of the Melkite dioceses fell vacant until the eviction of the Franks from Antioch (in 1265) allowed the unification of the province. The Melkite Patriarchs abandoned Antioch for Damascus around 1340.[5]

The ecclesiastical province of JERUSALEM presents some peculiarities. The province had alternately been under the spiritual hegemony of either Antioch or Alexandria, following

the sphere of influence of the Muslim regimes in those cities. The reason for this was that Jerusalem was the last of the ancient Patriarchates to be proclaimed (451), and nearly the smallest.[6] More crucially, the civil jurisdiction of Palestine had never been independent, but a province either of Muslim Egypt or Syria. Consequently, the Melkite Patriarchs of Jerusalem rarely received diplomas from any major Muslim power, but were included under the authority mandated either to their colleagues in Egypt or Syria.[7]

Jerusalem was also a Holy City, a pilgrimage site for all Christians. Representatives of many Christian sects dwelled there, and also members of the other Chalcedonian nations -- Georgians, Syrians, some Armenians, etc. The Judean Wilderness, one of the seedbeds of Christian monasticism, was also the object of many visitors. Several communities, such as the Jacobites, Nestorians, and Armenians, had their own bishops in Jerusalem and all together outnumbered the Melkites.

Assuming that 45% of the total population of the region later included in the Crusader Kingdom of Jerusalem was Christian around AD 1120, Melkites accounted for probably 40% of the Christians in Jerusalem and Judea, 70% of them along the coast (Gaza to Tyre), 50% in Galilee, and 20% in East Jordan and Arabia.

Yet only the Melkite bishop bore the rank of Patriarch and had no rivals to his primacy, unlike his beleaguered counterparts in Egypt and Syria. This was not as significant as it might seem, for the Greek Patriarchs did not thereby

have any hegemony over non-Chalcedonians. Rather, Jerusalem's low civil rank in Roman and Arab times kept rivalries to a minimum. Further, the other sects had their primates in other regions,[8] and for their bishops in Jerusalem to claim Patriarchal dignity would jeopardize their primate's authority elsewhere. Once the Armenian bishops assumed the title of Patriarch around AD 1311 however, largely as an honorific, the other churches followed suit.

2. Population of the Latin Kingdom by Religious Affiliation

Population figures, especially broken down by community or territory, are simply unavailable for Palestine until the first Ottoman census. Our estimates are based on Benvenisti and Prawer's samples of population densities.[9] The various towns and regions of the Latin Kingdom were not prosperous simultaneously; the figures below represent maximum populations and percentages, and are not accurate for any one year or decade, but represent a collage drawn from all the decades of the 12th century

A. Total Population of the Latin Kingdom of Jerusalem (from Gaza to Beirut)

Franks	120,000	to	150,000	20.0%	to	22.00%
Muslims	375,000	to	400,000	62.6%	to	59.65%
native Christians	100,000	to	120,000	16.6%	to	17.60%
Jews and Samaritans	5,000			.8%	to	.75%
TOTAL	600,000	to	675,000			

B. Total Urban Population (Jerusalem, Acre, Caesarea, Arsuf, Banias, Atlit, Sidon, Tyre, Tiberias, Jaffa, Haifa, Ascalon, Ramla-Lydda, Gaza, Sebastea-Nablus, Beirut and Hebron)

				% of community:	% of urban pop.
Franks	100,000	to	120,000	80%	46%
Muslims	40,000	to	60,000	13%	19%
native Christians	70,000	to	90,000	73%	34%
Jews and Samaritans	3,500			70%	2%
TOTAL	213,500	to	273,500	urban dwellers	

From charts A and B we see that Franks were the majority in the coastal cities, except Gaza and Ascalon in the south and probably SIdon and Tripoli in the north. In the interior cities the Franks were usually a minority, but the numerous Crusader settlements and fortified encampments were largely settled by Franks.

Native Christians were nearly as urbanized as the Franks, but a number were rural-dwellers too. Gaza, Ascalon, Tiberias, Acre, Sebaste, Tyre, and Jerusalem were major centers of native Christians. Melkites lived in all these cities but were dominant only in some coastal centers. Among the monophysites, the Copts were represented in Gaza and Ascalon, the Jacobites in most of the other towns.

Muslims were hardly urbanized. The bulk of the Muslim urban populations were either killed upon their capture by the Crusaders or forced to leave upon surrender. Only in SIdon, Tripoli, and Tyre did Muslim bourgeoisie stay on after the change of masters. Of course, Gaza and Ascalon had many Muslim inhabitants also. For the rest, the Muslims were spread out in innumerable villages all across the country.

C. Community Populations in Jerusalem

Syrians	10,500	35.0%	(= Jacobites)
Franks	8,500	28.5%	
Melkites	8,000	26.5%	(= Greek, Syrian, Georgian, Armenian Chalcedonians, but not Maronites)
Armenians	1,200+	4.0%	
other Christians	800	2.6%	(= Nestorians, Copts, Ethiopians, and Maronites)
Jews and Muslims	1,000	3.3%	
TOTAL	30,000	99.9%	

Chart C shows us that the capital of the Latin Kingdom was the only city in Crusader Palestine where the native Christians were a majority; Edessa and Antioch in the north also had native Christian majorities, during Latin rule. The Crusaders brought this about then they killed off and evicted the Muslims and Jews of the Holy City and allowed only a few to settle thereafter. When the Westerners themselves failed to settle in the city in any significant number, the native Christians were left to take up the slack.

Outside of Jerusalem, the Melkites probably accounted for 40% of the total native Christian population, but they were the most urbanized Christian community, with the longest presence in the country. Many of the Jacobites, Maronites, and Armenians living in Palestine in the 12th century were relatively recent settlers, save those Jacobite settlements which had been Melkite in the 7th-8th centuries, and became Jacobites thereafter.

* * * *

The world of the Oriental Christians which we have described in Part One was vastly different from Western Christendom. Their "dhimmi" (protected) way of life was crucially patterned by the requirements of Islam.

Inasmuch as the Franks at their peak barely outnumbered their native Christian subjects in Latin Palestine, and were in turn far outnumbered by the Muslims within their borders, it would seem obvious that native institutions would remain as the basic structures of native life, and that Frankish institutions concerned only an unintegrated layer of settlers at the top.

Yet we know far more about Frankish institutions of the Crusader regimes than we do about the native ones.[10]

We hope to correct this deficiency in Part Two, where our analyses of the Melkite institutions of 12th century Palestine will be shown to be a continuation of those evolved from the Muslim centuries.

[1] R. Bulliet Conversion to Islam in the Medieval Period (Cambridge Mass. 1979) esp. pp. 108-111; I. Lapidus "The Conversion of Egypt to Islam"(Israel Oriental Studies 1972) 248-262

[2] J. Nasrallah "l'Église melchite en Iraq, en Perse, et dans l'Asie centrale" (POC 25.1975) 135-173, and (POC 26.1976) 16-33. Also J.-M. Fiey "Rum à l'Est de l'Euphrate" (Muséon 90.1977) 367-370

[3] Elias (709-723) and John XV bar Madani (1247-1263), for a few years of their reigns

[4] Ibrahim b. Yuhanna al-Antaki wrote a Vita of Christoper, edited and translated by Habib Zayat, see Bibliography.

[5] B. Vandenhoff "Die Übertragung des griechischen Patriarchats von Antiochien nach Damaskus im 14 Jahrhundert" (Theologie und Glaube 3. 1911) 372-279, corrected by J. Nasrallah "Chronologie des patriarches melchites d'Antioche de 1250 à 1500" (POC 17.1967) 191-299, esp. pp. 206-07, 210.

[6] The Melkite community in Egypt became the smallest of the Christian sects probably after AD 800. See Crone and Cook Hagarism (Cambridge 1977) p. 188, notes 47 and 49

[7] In the same way the Patriarchs of Jerusalem and Alexandria have fussed over jurisdiction over the diocese/monastery of St Catherine's in the Sinai. Like Cyprus, this area of contention in the Sinai peninsula ended up claiming autonomous status.
The one Muslim diploma known to have been issued to a Melkite Patriarch of Jerusalem is that of the Fatimid caliph al-Hakim in 1020, addressed to his hand-picked candidate to the office, Nicephoros; in the Annales of Yahya ibn Sa'id, in CSCO. Scr. arab. ser.3, tome 7 (Beirut/Paris 1909) pp.230-231 (see Bibliography)

[8] The Jacobite Patriarch, bearing the title of Antioch, resided at various sites in northern Syria and upper Mesopotamia; the Nestorian Katholikos at Baghdad bore the title "of the East"; the Armenian ecclesiastical primacy is more diffused, allowing at one time (the 17th century) three Katholikoi and two Patriarchates (Istanbul and Jerusalem).

[9] J. Prawer Histoire du Royaume Latin de Jérusalem (Paris 1969) I, 569-570; M. Benvenisti The Crusaders in the Holy Land (Jerusalem 1970) 17-19, 26-27

[10] Now see the recent Crusader Institutions by Joshua Prawer (Oxford 1980)

P A R T T W O

An Historical Survey of the Melkite Community in Palestine during the Latin Occupation in the Twelfth Century

PART ONE has provided the background of Christian life in post-Roman Palestine. We have described several of the institutions and customs of the Melkites which were to be most affected by the establishment of the Latin Kingdom. These can be grouped broadly under the headings of leadership, courts, taxes, and policies determining civil status.

PART TWO describes the 12th century condition of the autonomous Melkite community, the number and vigor of their Patriarchs, bishops, monasteries, judges, and courts, all of which have been previously underestimated. This part focuses on six elements of Melkite communal structure: the Patriarchate (Chapter 5), the Episcopate (Chapter 6), the Monasteries and Church Property (Chapter 7), Civil Leadership (Chapter 8), Taxation of the Natives (Chapter 9), and the Native Courts (Chapter 10), analysing the impact of Frankish rule upon each.

The arrival of the Crusaders removed the prime force behind the minority autonomy of the Levantine Christians, Islamic rule. After 1099 and for the next 150-200 years, Christians from the West ruled Christians of the East. Did the new Christian regime of Crusaders encourage the Oriental Christians to abandon the ligaments of their autonomy and to participate in Crusader society as equals? Such a vision was

never realized, if ever intended. The Oriental Christians of necessity requested and were allowed to retain their autonomous way of life.

In fact, the native Christians had little difficulty in retaining their autonomy, along with their properties and customary rights. The Frankish regimes had a policy of ignoring their native subjects, once taxed. The compromises reached between the Franks and the Melkites were not all as formal as that over the native courts, for instance. If not by design, this neglect arose from the fact that the aspirations of the Crusaders were in conflict among themselves, especially those of the Roman Church.

PART THREE is devoted to this matter of policy conflict and resolution among the Franks. There, we review in detail some of the institutions treated in Part Two, in order to identify the different forces which ultimately determined Frankish policy towards the Melkites.

CHAPTER FIVE

The Ecclesial Structure of the Melkite Community: The Patriarchate

The Franks established a Latin Patriarchate in Jerusalem when they captured the city in 1099, in conscious succession to the Patriarchal line of the native Chalcedonians (Greek-Melkite Orthodox). Moreover, a succession of shadow Patriarchs (in exile) in the Greek line of Jerusalem appeared in Constantinople only 40 years or more after the Crusader conquest.

What happened to the Greek Church in Palestine and to its Patriarchs during those first 40 years? Did the native Melkites attempt to select Patriarchs and bishops in succession to those whom the Crusaders had evicted? Had the Franks intended from the start to displace the Melkite hierarchy, or did they simply find it vacant?

We provide a summary of the well-known events surrounding the displacement of the Greek Patriarch by a Latin, and the short-term Frankish motives for doing so. We then describe all that is known about the local successors to the last Greek Patriarch Simeon, giving us a clearer picture of the Frankish impact upon the Melkite community at the top of its structure, the Patriarchate.

The fate of the Greek Patriarch of Jerusalem in 1099 has fed a virulent debate among Western and Eastern European historians. This chapter uncovers no new evidence, but tries

to broaden the perspectives of the question -- Was Patriarch Simeon alive or dead (or known to be) when the Latin Arnulf was elected in 1099? We consider what was known of Simeon's reputation in the West prior to the arrival of the Crusaders, and the intentions of those same Crusaders who made it to Jerusalem, and of similar events in Antioch at the same period. Ultimately, we do not believe that Arnulf would have been elected if Simeon were known to have been alive at the time.

Further analysis is given to texts concerning the shadowy successors of Simeon. We conclude that they were locally elected before the traditional Eastern date for Simeon's death (AD 1106) and even resided for a time in or around the Holy City, further suggestions that Simeon was dead in 1099.

1. The Fate of the Greek Melkite Patriarchate in Jerusalem[1]

It is generally accepted that the Greek Patriarch of Jerusalem, Simeon II (ca. 1085-1099/1106), was alive when the Franks entered the Syrian plains in the spring of 1097. Beyond that, the Latin sources indicate that Simeon was on Cyprus with his bishops and clergy in that year. They had supposedly fled there to escape the harsh conditions imposed by the Ortoqid occupation of Jerusalem as agents for Tutush, the Seljuq governor of Damascus (1079-1098).

It is unlikely that Simeon II stayed in the Holy City for more than a few years after his election. We do not know what specific events would have impelled him to leave his post

with many of his bishops, nor do we know how long he had been on Cyprus when the Crusading army reached Antioch (1097).

Before considering the evidence from the Latin sources, we will present some other pertinent background concerning the Christian churches in Palestine at the end of the 11th century, just prior to the arrival of the First Crusade.

We have reviewed the Byzantine-Fatimid treaties of the 11th century and the subsequent efforts to rebuild the Anastasis Basilica. These hints of improvement in international relations allow us to surmise that the native Christian hierarchies in Jerusalem were still in place in the mid-11th century. The temporary improvement in security enabled several Christian leaders to return to Jerusalem, ending the unrivalled position which the Greek Patriarch had enjoyed for a few decades. By the later 1080s, the Armenian and Jacobite bishops, at least, had re-established themselves. The re-appearance of the Armenian bishops (absent, vacant, or unknown from 1038 to 1090) may have been due to the efforts of the Armenian vizier of Egypt, Badr al-Jamali (1074-1094). But the exodus began again about 12-15 years later. The withdrawal of the Fatimid garrison after 1070, the rough-handed takeover by various Seljuq commanders, and the unsatiable appetites of the bedouin for easy plunder[2] undid many of the achievements of the previous decades of relative security.

The gaon of the Jewish academy of Jerusalem had evacuated the city first, moving to Tyre shortly after 1071, thence to

other cities, never to return to the Holy City.[3] If a new Nestorian bishop had been appointed for Jerusalem at all, he probably left for Damascus or Mosul after 1090. The Jacobite bishop Cyril fled to Egypt before 1098.[4] Matthew of Edessa notes that the Armenian Katholikos Pahlavouni (1065-1105) was in Jerusalem when the Crusader seige began (June 1099), but that he managed to get out during the siege.[5] Nothing is known about the Armenian bishop of the city, Simeon (1090-1109), but he was probably at the Katholikos' side.

Why did the Syrian bishop Cyril leave, and the Armenian Pahloavouni remain, in a city under immanent seige? Cyril had compatriots in Egypt, the Copts, and so a ready welcome. The Armenians were not without influence in Egypt, but their principal centers were in the north, in areas coming under Crusader control. So perhaps the Armenian Katholikos and bishop intended to wait out the summer campaign, and see how the boundaries settled.

Or, were they hindered from leaving by the new Fatimid commander, lest they co-operate with the Christian hosts approaching from Syria? In the previous year, Yaghi Siyan the governor of Antioch had detained the Greek Patriarch for this cause. His city was betrayed nonetheless to the Franks by a Christian, Firuz,an Armenian commander of one of the towers.

Did the Egyptians suspect the Greek Patriarch Simeon of pro-Frankish sympathies? Suspicions of treason may have been the final ingredient in Simeon's decision to leave Jerusalem

as it was for Patriarch John's departure from Antioch. There are no accounts placing Patriarch Simeon in the Holy City prior to or during the seige of 1099 (except Michael the Syrian). This, and the flight of all the other dhimmi leaders except the Armenians, persuade us that Simeon also had found the city too precarious to remain in.

The Latin documents indicate that he was in Cyprus in 1097-98, evidently having abandoned Jerusalem a year or two before. Albert of Aachen[6] notes that Simeon sent supplies from Cyprus to the Franks when they were in great want during the winter seige of Antioch (1097-98), and that the Patriarch was dead by the time Jerusalem was taken the following summer. Also, the two letters sent to Pope Urban II by his legate Adhemary of lePuy were written in Adhemar's name and that of Patriarch Simeon.[7] Unless this was purely a rhetorical gesture, we must presume that Adhemar was in direct contact with Simeon, nearly impossible if Simeon were still in Fatimid-occupied Palestine.

Some Greek historians find this evidence of small account, and presume instead that Simeon, like John of Antioch, remained in Jerusalem, and that the victorious Crusaders refused to acknowledge him and forced him to leave.[8] Others accept the evidence that he was already on Cyprus, but deny that he had died before the Frankish occupation of the city.[9] In these accounts, Simeon II eventually travelled to Constantinople and at his death his successors in exile began a line

of shadow Patriarchs. Their presence in the capital is documented first only in 1156 however.

The Jacobite historian, Patriarch Michael the Syrian, proposed a scenario in which Simeon accompanied the Crusaders from Antioch to the Holy City, and was in the forefront of the Frankish phalanx, slaughtering Jews and Muslims with the rest of the Western knights. This was not meant to be a flattering account.[10]

Our consideration needs to be broadened if we hope to move out of this impasse. We should consider what predispositions the Franks had towards the Melkites, and towards Patriarch Simeon in particular. This will help clarify the motives for their actions, whether or not they would have chased Simeon from his throne.

Crusade propaganda was ambiguous from the start,[11] and the motives of the participants were spun of the finest and the coarsest yarn. As we will reveal in Chapter 12, (pp.337-8), even official papal statements about rescuing the Eastern churches were not totally benign.

The Norman princes from southern Italy and Sicily were the most familiar with Byzantium and the Levant, and had clearly acquisitive objectives behind their participation in the Crusade. These motives were more or less shared by the laymen and clerics attached to the Norman ranks. The participants from the Low Countries and France had less specific aspirations, and were largely favorable to papal propaganda about the Eastern adventure.

The victorious host which won the Holy City was not composed of any Italian or Norman contingents, but largely of Flemish, southern French, and Lotharingian units, led by the devout Robert of Normandy and Raymond of St. Gilles. These were the forces particularly inspired by the preaching of Peter the Hermit, and it is unlikely that Simeon's claim to the See would have been ignored by these men, were he known to be alive.[12]

Peter the Hermit had a high regard for Patriarch Simeon, and supposedly met with him personally before the papal call for a Crusade. Peter himself was present in the Holy City during the Frankish occupation in 1099. Moreover, Bishop Adhemar, the papal legate, included Simeon's signature alongside his own on his letter to the pope, which may indicate to us that the Greek Patriarch of Jerusalem, like his counterpart John of Antioch, was highly though of by some of the Crusade's leaders.

Even if Simeon was the author of an anti-Latin tract,[13] this does not seem to have been widely known outside theological circles.

The papal legate Adhemar was dead before the Franks reached Jerusalem, and agitation for the election of a Latin hierarch for the Holy City began even before the city fell. The barons proceeded with the election of a prince barely ahead of the parties which were anxious to select a Patriarch first, after the capture of Jerusalem.[14] The electors were,

nonetheless, also anxious to justify their actions; this may or may not have been augmented by the claim of the Duke of Normandy's chaplain, Arnulf, to the papal legate.[15] The Latin justification for electing a Latin Patriarch was that the former Patriarch was no longer residing in the area, either because he was already dead, or had abandoned his See. The justifications were important for the Franks, as they were conscious of succeeding to the Greeks in the exercise of ecclesiastical authority over the Christian community in Palestine.[16] An assembly of victors such as we have depicted, cautious and devout in religious matters, would not have ignored a living Greek Patriarch in their midst. The self-serving arguments of the Latin party should not lead us to doubt the truth on which they were based, that Patriarch Simeon was not in possession of his See in 1099, and if he was not dead, he was far away enough to be ignored. The broader significance of these Frankish motives will be dealt with in Chapters 12 and 13.

As the Frankish motives for their actions in Jerusalem towards the Melkites are none too clear, it will help us to review their policies towards the native Chalcedonians in Syria where they were presented with a more tangible challenge, the Greek Patriarch himself, who remained in Antioch when it came into Crusader hands.

2. The Fate of the Greek Melkite Patriarch in Antioch.[17]

Jerusalem, unlike Antioch, had not been reached by the Byzantine armies in the mid-10th century, when the East Roman Empire had extended itself once more into Syria and Mesopotamia.[18] It was on the basis of these conquests that the Emperor Alexis I Comnenos expected the Crusaders to return to him any former Byzantine lands acquired by them. But in Palestine, no consideration needed to be given to Byzantine hegemony, political or ecclesiastical, as it was claimed by the Latins by right of conquest, for Rome had evacuated the province back in the 7th century.

Whether or not such legal nicities were appreciated at all by the Western forces (who may not have known that Palestine had not been reached in the later Byzantine reconquest), Byzantine political and ecclesiastical claims did carry more weight over Antioch, since it had been under Greek control until 1085. These claims included protection for the rights of the Greek Church in Antioch.

After their occupation of the city, the Crusaders learned the details of the sufferings inflicted upon the Melkite Patriarch John V of Oxos. The Greek hierarchy had not all fled when the Turcomen took the city in 1084. But the impending arrival of the Frankish expedition, and the uncertain allegiance of the native Christians, led the Turkish governor to deal strictly with them and their spiritual chiefs. The tortures which Patriarch John underwent gave him the aura

of a martyr; his stripes and his spiritual rank identified him in Frankish eyes as an ally against a common foe. Though a Greek, the Latins restored him to his throne and cathedral. This act was not without precedent. The ancient archbishop of Palermo, the only Greek hierarch left by the Arabs on Sicily, and nearly forgotten in obscure retirement, had similarly been restored when the Normans took Palermo a few decades earlier. But he had died a short time after his reinstatement, and a Latin archbishop took his place.[19]

John maintained his status for approximately 18 months, but was soon governing a hierarchy now partly Latin. Raymond of St. Gilles, the faithful ally of Emperor Alexis I, occupied the town of al-Bara and placed a Latin cleric there as bishop-elect; the town had no native Christian inhabitants at the time. Raymond then brought this candidate, Peter of Narbonne, to Patriarch John to be duly consecrated. Three consecrators were required, and the Crusader host had only two at this time, so the Greek Patriarch was the likeliest addition.[20]

Despite his willingness to make such concessions, the Greek prelate knew that his position was awkward and so he left Antioch late in 1100 and retired to Constantinople, where he appears in October of the same year. Losing no time, the Latin bishop of Artasium, Bernard, was brought in as the first Latin Patriarch before the year was out. John may have resigned his rank right away, but his successor in the shadow Patriarchate, another John, does not appear until 1106. John of Oxos wrote

an account of his last years as Patriarch in Antioch, in which he offered no interpretation for his departure except ill-health and long-suffering. But he did not envision his or any other Orthodox Patriarch's return to Antioch until the city's current masters were replaced.[21]

Claude Cahen depicts the events leading to the retirement of John as a tension between the Latin respect for the incumbant against their desire for a Latin pastor. Furthermore, the Latins probably considered John to be in some degree a schismatic, which also undermined his status. The Norman regime did not feel it could simply evict John however, nor was he in any physical danger. But when new dioceses were created without his participation, and bishops consecrated in other provinces removed from his authority, he must have seen his situation was untenable. Any Latins who might have supported him were either dead (Adhemar of lePuy) or distracted by other ventures (Raymond of St. Gilles). Further, the Crusaders did not at this time feel it politic to woo their Greek subjects; the Armenians and Jacobites were proving to be more helpful and less obtrusive.

Prince Bohemond's own policies were designed to effect John's departure too. The part played by Bohemond in the establishment of a Latin hierarchy was crucial. His anti-Byzantine stance, his feud with Raymond, and the letter sent back to Pope Urban II (after the death of the legate Adhemar) which complained of the intransigence of the "heretical"

Greeks, Syrians, and Armenians, assure us that Bohemond had no intention of tolerating any other authority but his own in major posts. He would owe no allegience to the Emperor Alexis, nor abide a non-Latin Patriarch in his newly-won principality. This would not prevent many Greek clerics, and even some bishops, from staying on in Syria, as the Greek Melkite population was considerable. But the change could not be effected so lightly; serious reasons had to be brought forward to justify John's deposition.

Bohemond promoted a whispering campaign against Patriarch John, building up to accusations of treason. The allegations were linked to the Norman attempts to take Latakiyya, a nearby port city still garrisoned by the Byzantines. Bohemond attempted to capture Latakiyya first in 1100 and was deterred only by the firm opposition of Count Raymond and Godfrey of Jerusalem. The regent Tancred succeeded in capturing the city in 1102-03 during Bohemond's captivity, but had to re-take the port from the stubborn Greeks again in 1107-08, with Venetian help.[22]

Patriarch John could hardly be blamed for halting the first attempt, as other Crusader leaders were against this attack against Byzantium, still nominally an ally. The second attempt was not begun until after Bohemond's capture by Gumushtegin ibn al-Danishmend in August 1100. But as the regent Tancred vigorously pursued the same goal of taking Latikiyya, he would have found the Melkite Patriarch's presence

as distracting as had Bohemond. John saw he had little support against these charges, and decided to leave. He picked a time when his departure would receive little attention, while Bohemond was away in captivity and Tancred not yet come up from Palestine.[23] In this first confrontation between the Latins and an Oriental Christian Patriarch, the Crusaders were undoubtedly anxious to replace him. But they were also cautious and concerned to gather justifications for deposing or circumventing the Patriarch.

The Melkite presence in Palestine was not as great as in Syria, and the Westerners were less concerned about Byzantium which lay so far away. We might expect them to act more directly, more forcefully towards the Greek Patriarchate, for good or ill, had they so wished. But given the Frankish actions towards the Greek archbishop of Palermo in 1071, and to John Oxite in Antioch in 1098, it is hardly credible that the more sympathetic Crusader contingent which conquered Palestine in 1099 would not have left Simeon II on his throne for a few years, had he been alive and in the region.

One final element should be considered to understand how the Patriarchate fared at Frankish hands -- the native Christians and their response to the events of 1099.

3. The Immediate Successors to Patriarch Simeon

If we agree, for the sake of argument, that the Franks elected a Latin Patriarch to succeed a Simeon they believed to be still alive, what was the reaction of the Melkites?

Would it not have been to rally around their exiled leader and to challenge the Latins' claim to spiritual hegemony? The Melkite response is not altogether clear, due to the paucity of sources, but Simeon, dead or alive, plays no part in them.

We would know nothing at all about the first successors of Simeon, were it not for a particular concern of Byzantine canonists. The problem was that ancient canons forbade a bishop to leave his diocese (metabasis) for another, primarily for his own interests. But custom had come to allow the Patriarchs, or the Emperor, or the proper electors, to transfer a bishop to another see (metathesis) in the interests of that other diocese. To justify this distinction, precedents were gathered from all over the orthodox world, and the dislocations created by successive Muslim invasions in the Levant provided many such examples, including the vacancies persuant to the conquests of the First Crusade.

The paragraphs and notes which follow are extracted from three canonical collections[24] which contain precedents of metathesis occuring over the vacancy in the Patriarchate of Jerusalem at the beginning of the 12th century. Here we learn for the first time about John and Sabas, successors of Simeon.

N. Kallistos Hist. Ekkl. XIV:xxxix (ca. 1325)

Then [speaking of instances of the transfer of bishops] there was John, known by the new & famous name of Kodonatus[a], who moved from Antioch to be metropolitan of Tyre.[b]

And again, the bishop of Tyre[b], being a eunuch, when his church had been overrun by the Persians[g], fled to Jerusalem. Now it happened that the throne of Jerusalem was widowed, so the citizens of Jerusalem entrea--ted the ruling Persians that they be allowed to confide the Church of Jerusalem to him. This man also came to Constantinople in 6615[c], during the reign of Alexis Comnenos, and was received by the holy synod, under Patr. Nicholas Theoproblitos.[c]

Ius Canon. Greco-Rom. Leunclavius (ca. 1180-1240)

John Kodonatus[a] was transferred from the Patriarchate of Antioch to be metropolitan of Tyre[b].....

During the reign of Emperor Alexis Comnenos, Sabas of Caesarea Philippi[d] became Patriarch of Jerusalem, and "having come here[e], celebrated the divine liturgy with Patriarch Nicholas and the synod".[f]

Synodikon of Patr. Germanos III (ca. 1266)

A certain man, the priest Sabbas of Caesarea Philippi[d], was summoned to be transferred to be Patriarch of Jerusalem, during the reign of Alexis Comnenos.

---

a) A John Kodonatos was Patriarch of Antioch in AD 477-78.

b) It makes no sense for the Patriarch of Antioch to be transferred to one of his suffragan metropolitanates. What is meant is that John was transferred from some other post in the patriarchal administration of Antioch to head the See of Tyre. Tyre remained in Muslim hands until 1124.

c) The date 6615 = AD 1107. Alexis I reigned (1081-1118) and Patr. Nicholas III Kyrdiniates of Constantinople (1084-1111).

d) The Latin authors knew the distinction between Caesarea Philippi (= Banias, a suffragan of Tyre in the province of Antioch; an interior city) and Maritime Caesarea (= a metropolitan See in the province of Jerusalem), but Greek authors often confused them, calling Maritime Caesarea, Caesarea Philippi, N. Kallistos has just such an error when he related the translations of bishops Athanasius and Gabriel of Caesarea Philippi to Jerusalem around 1303 and 1309 respectively (MPG, t.146, col. 1197), when he meant the coastal city. Banias only fell to the Crusaders in 1129; maritime Caesarea in 1101. See pp. 2-3 of Chapter Six.

e) Constantinople

f) The phrase in quotes is identical to that describing the visit of bishop Agapios of Seleucia to Constantinople after his transfer to Antioch as the new Patriarch there in the late 10th century, the reference then being to Patr. Nicholas II (984-995). To confound matters more, this same section from the Ius Canon. gives Jerusalem as the See to which Agapios was transferred, an error preserved in Patr. Dositheos' Dodeka--biblion, cap.26 and in AHS, I, 244. On this, see Sykoutris, p.180-1,n.6

g) In the same paragraph of Grumel [cited below], he suggests that Persians is a stylized Byzantine way of designating Arabs.

V. Grumal united A, B, and C to refer to the same person, Patriarch John VIII of Jerusalem (ca. 1107), and leaves D to refer to John's successor, Patriarch Sabas (ca. 1117).[25] Michel LeQuien and Sykoutris combine C and D to describe the career of Sabas instead,[26] to which we would add E. In an attempt to account for the confused facts in these texts, Grumel has offered this scenario:[27]

> La Syrie et la Palestine étaient, au moment de l'arrivée des Croisés, la théâtre de guerres entre princes musulmans. C'est peut-être à l'occasion d'un changement de maîtres que l'évêque de Tyr crut sa vie en danger. Quoi qu'il en soit, celui-ci dut arriver à Jérusalem à un moment, où Syméon, qui l'avait déjà quittée à la fin de 1097, n'y était plus, et quand le siège n'avait pas encore commencé. Il est à croire que, pour se désolidariser d'avec Symeon, dont la sympathie pour les Croisés était connue, et éviter des représailles, les chrétiens de la Ville Sainte demandèrent pour patriarche l'évêque réfugié de Tyr, bien que Symeon fût encore en vie. Après sa mort survenue peu avant la prise de Jérusalem et qu'ils ne connurent peut-être qu'après celle-ci, ils le remplacérent par un latin. [Jean] l'évêque de Tyr continue sans doute à s'occuper des fidèles de son rite.... ...en 6615 il vint à Constantinople, fut recu, c'est-à-dire, reconnu par le synode. Cela veut dire que le synode accepta sa translation du siège de Tyr au thrône de Jérusalem.

Grumel had already depicted Simeon as a sympathizer of the Latins in an earlier article.[28]

These selections from later Byzantine sources, and Grumel's explanations, raise questions in two areas: 1) How feasible or credible is this account of successors to Patriarch Simeon residing in the Holy Land? And 2), Is it accurate to give to the local Melkite community, and to its Syriac portion, such an important role in the selection of leaders?

1) Sabas and John were both bishops before being transferred to the Holy City, and so did not face the problem of collecting three consecrators, as there were most likely not three Melkite bishops to be found in Palestine between 1098 and 1115. Thus, there was no formality required for them to assume the post of Patriarch, just election by the faithful. The two successors of Simeon could equally well have acted only as topoterites, or locum tenati in Jerusalem, not as formal Patriarchs until they were regularized in Byzantium. This was the pattern adopted by the Melkites of Alexandria after the Arab invasions of the seventh century.

John's translation by spontaneous election was not unusual either. Archbishop Isaias of Lydda was elected Metropolitan of Cyprus in 1205. His See in Palestine was under Saracen occupation, and he had found refuge in Cyprus. The chief episcopal seat was vacant there, and as the local bishops had not been able to receive any advice from Constantinople or Nicaea, they took the initiative to elect Isaias. The new Metropolitan later regularized his election with the Greek Patriarch and synod at Nicaea.[29]

Nor is the Latin silence about John significant. Papadopoulos, in the Greek Encyclopedia,[30] shrewdly suggests that John did not publicly proclaim himself as Patriarch while he worked in Jerusalem, for Simeon may still have been alive (until 1106). More likely, John's unobtrusive behavior is explained by his caution before the Latin establishment, for

once the significance of the Latin Church's power was assessed John seems to have left Palestine. He may have gone to the Byzantine capital, where later an official line of shadow Patriarchs was initiated.[31]

Sabas' story is less complex, and was duplicated in the careers of two Patriarchs of Jerusalem at the start of the 14th century, who had been bishops of Caesarea [see ref. to N. Kallistos, in note d), above]. Sabas may have been a bishop in residence in Caesarea in 1098/99, or he could have returned (or arrived) there from abroad (Cyprus?) after 1101. His nomination to the Patriarchate may have come from the local clergy in Palestine, or from other exiled bishops on Cyprus, perhaps after learning of Patriarch John's death or retirement. Alternately, Sabas was in office before Simeon, in the early 1080s.[32] In any case, after leaving Palestine and arriving in Constantinople, Sabas was approved by the Patriarchal synod.[33] The ensuing Patriarchs -- Nicholas, John, Nicephoros, and Leontios -- were chosen in Constantinople, and will be discussed in Chapter 12.

We may allow then, that John and/or Sabas resided in Frankish-occupied Palestine for a few years, presuming that they did not directly challenge the claims of the Latin Patriarchs by their actions or brandishing of titles.

Our first non-Latin traveller to Crusader Jerusalem is the Russian abbot Daniel, in 1107. He mentions only the abbot of Mar Saba as the ranking Orthodox hierarch in the city, no bishops, no patriarch, for the Greeks.

2) There is no reason to doubt the ability of the native Chalcedonians to select new leaders to replace those who had fled the country during the period 1090-1110. They had done so in the 7th-8th centuries in the wake of the Arab conquests and would do so again in the 13th century when the Ayyubids restored the status quo after the extinction of the First Latin Kingdom.

The accounts which describe John and Sabas as locally elected successors to Simeon are matched by similar reports for other decades: George Every attributes the election of Mark Florus, ca. 1190, as Patriarch of Jerusalem, to the wishes of the local Arab-speaking Chalcedonians. Other evidence suggests that Mark lived in Constantinople, and held the title of Jerusalem after or during the complications arising from the tenures of Patriarch Dositheos, between 1188 and 1191.[34] Romilly Jenkins similarly attributes the election of an otherwise unknown Sophronios as Patriarch of Antioch, ca. 1050, to the local Syrian Melkites, who were upset at losing their autonomy to Constantinople after Antioch's return to Byzantine rule.[35] And the same group is responsible for the election of an Arab candidate, David al-Khoury, as Patriarch of Antioch around 1240, in an effort to anticipate the naming of a Greek candidate by Nicaea. And it is possible that other Melkite Patriarchs resided in Arab territory, for a time, to avoid Frankish attempts to dominate them.[36]

However, such local elections were not the exception but the rule in Palestine. We have already shown in the

previous Chapter [Four] that the ecclesial and civil authorities in Byzantium, despite their aspirations, had not had much opportunity to intervene in the selection or consecration of the Patriarchs of Jerusalem during the 11th century. Those elections had been conducted in Palestine and the candidates were residents of the province. Many of the Melkite Patriarchs, bishops, and monks were Greeks or Hellenophone Syrians, but not all. Certainly the province's isolation from Byzantium from ca. 1080 to ca. 1130 was an opportunity for the Syro-Arab portion of the community to assert itself in the absence of most of its Hellenophone leaders.[37] The concern to maintain community life is sufficient to explain the increased participation of the Syro-Arab Melkites. We consider it unnecessary to posit some kind of animosity between the two factions, leading to a difference of policy in dealing with the Franks: the Greeks and Hellenophones as implacable enemies of the Latins, the Syro-Arabophones as willing to compromise.[38] This activity by the arabophone Melkites does not indicate antipathy towards the hellenophones. Nor were the Greek shadow Patriarchs of Jerusalem, living in Constantinople (ca. 1120-1220) ignored by or unknown to the native Chalcedonians.

We have some difficulty, then, in accepting Professor Runciman's statements, that the native Orthodox accepted the jurisdiction of the Latin Church "without demur", or that

> In the Patriarchate of Jerusalem...the exiled Greek line of Patriarchs was unrecognized and almost unknown within the Patriarchate. (note 39)

That successors to Simeon were elected in the country is hardly an act of demureness. And when the Patriarchs resided outside Palestine, their existence was evidently well-known.

Runciman only mentions the Sinai diptych of 1166, which includes the names of Patriarchs John [deceased; = John IX ?] and Nicephoros of Jerusalem.[40] He even suggests that Sinai, subject to Egypt, is not an ideal source of information about Palestine, when quite the opposite is true [see Appendix on Petra].

To these, we add the Holy Sepulchre Typikon of 1122, which includes the name of Patriarch Nicholas,[41] and the inscription at Calamon monastery (near Jericho) from the 1160s which mentions Patriarch John (IX ?).[42] The paintings from the Byzantine restorations in the Nativity Basilica, completed around 1169, do not naturally make any mention of the exiled Greek Patriarch. In general, we can agree with Fr. Henri Musset:[43]

> Sans doute Rey, comme Jacques de Vitry, entend-il distinguer les Syriens arabophones de rite grec, autrement dit les Melkites, des Grecs Hellènes ou Byzantines; mais en fait Melkites et Hellènes ne formaient qu'une communauté sous la houlette des Patriarches de rite grec de Jérusalem et d'Antioche, lesquels Patriarches, durant l'occupation latine, furent tous dès Byzantines. Il est possible que, dès cette époque, ait existé, comme aujoudh'hui, entre les chrétiens de rite grec, arabophones et hellènes, une certaine opposition, ces derniers ambitionnant de se faire une situation privilegiée dans la hiérarchie et les sanctuaires. L'élément proprement melkite, arabophone, a dû plus que les Byzantins, sympathiser avec les Francs.

But we will insist that the extent of Melkite sympathy for the Franks was very limited, and not reciprocated; see the end of Chapter Ten, where evidence from the court structures bolsters this argument.

* * * * *

Our canonical excerpts alone have not posited John and Sabas as concrete historical figures, but when combined with the other instances we have presented here, they allow us to suggest that the Melkite community in Palestine did make some moves to provide itself with pastors and primates in the initial decades of the Crusader occupation. These efforts were not sustained, and a few years later, with little prompting from Constantinople, a regular succession of Patriarchs in exile was established, probably at first on Cyprus, then in Byzantium.

* * * * *

Our study has removed some of the blame from the Franks for so quickly initiating a line of Latin Patriarchs in Jerusalem, although the failure of the Melkites to continue their own native line was due, in large measure, to the hostility of the Franks towards such competition. The value which the Latin Church placed upon its exclusive control of the Patriarchate is treated in Chapter 12, as it concerns the formation of Frankish policies. If the Melkite Patriarchs were excluded from the Latin Kingdom, the bishops were not. As the episcopacy provided the basis of a viable community existence for the native Christians, it is crucial to investigate its activities, especially in the absence of the Patriarchs.

1. The contemporary sources are generally cited from Recueil des Historiens des Croisades (Paris 1872-1906) = RHC, divided into Western sources (= Occid.), Armenian, Greek, and Arabic (= Orient.).

Chrysostom Papadoupoulos Historía tès Ekklèsías Hierosolymōn (Jerusalem and Alexandria 1910) pp. 357-395. [New ed. Athens, 1970].

Bernard Leib Rome, Kiev et Byzance à la fin du XI siècle; rapports religieux des Latins et des Gréco-Russes sous le pontificat d'Urbain II (Paris, Picard 1924) pp. 260-271.

René Grousset Histoire des Croisades et du Royaume Franc de Jérusalem (Paris, Plon 1934) vol. I, pp. 115-170.

V. Grumel "Le chronologie des partriarches de Jérusalem sous les Comnènes" in Rucueil dédié à la mémoire du Prof. Peter Nikov (Sofia 1940) [= Bull. Soc. Hist. Bulgare xvi-xviii) pp. 109-114.

Wilhelm Hotzeit "Kirliche Organisation und religiöses Leben in Palästina während der Kreuzzugszeit" in Das Heilige Land in Vergangenheit und Gegenwart [= Deut. Verein vom Heilige Lande; Cologne 1940] Bd. 2, pp. 43-72 [= extracts from the next monograph...].

Wilhelm Hotzeit "Kirchengeschichte Palästinas im Zeitalter der Kreuzzüge, 1099-1291" in Kirchengeschichte Palästinas von der Urkirche bis zu Gegenwart, Teil 3 [= Paläst/hefte des Deut. Verein vom Heilige Lande: Cologne 1940] Hefte 29-32; pp. 39-40 esp.

Jean Richard Le Royaume Latin du Jérusalem (Paris. PUF 1953) esp. Chapter X; translated by Janet Shirley The Latin Kingdom of Jerusalem (Amsterdam/New York/ Oxford, North-Holland 1979).

Steven Runciman A History of the Crusades (Cambridge Univ. Press 1951) vol. I, pp. 280-290, and 76-78.

Steven Runciman The Eastern Schism (Oxford Univ. Press 1955) Chapter IV (p. 78-101).

Steven Runciman "The First Crusade: Antioch to Ascalon" in (ed) Marshall Baldwin The First Hundred Years [= vol. I of...] (ed) Setton A History of the Crusades (Madison 1969) 2nd ed. Chapter X (pp. 308-341).

Joshua Prawer Histoire du Royaume Latin de Jérusalem (Paris, CNRS 1969), vol. I, pp. 232-237.

Sa'īd 'Āshūr al-Ḥarakat al-Ṣalībīyah (Cairo 1971) 2nd ed. vol. I, pp. 240-253.

Giorgio Fedalto La Chiesa Latina in Oriente (Verona, Mazziana 1973) vol. I, pp. 103-115.

2. The Bedouin of the Transjordan area successfully wrested the regions around Jerusalem and Ramleh from Egypt in 980, 998, 1011, and 1024, and when the Ayyubids later reduced their presence in Jerusalem in the 1230-40s, the Bedouin again had their way with the region, usually to the detriment of the Christian monasteries and churches, sources of treasure in the bedouin imagination.

3. This was Elijah Hakkohen ben Solomon, gaon of the Jerusalem Academy (1062-1083), who moved to Tyre. His son and successor may have functioned in Tripoli. Jacob Mann The Jews in Egypt and in Palestine under the Fatimid Caliphs (Oxford 1920-22) vol. I, pp. 113ff. [reissue (NY.Ktav.1970)].

4. Abbé Martin "Les Premiers princes croisés et les Syriens Jacobites de Jérusalem" (Jour. Asiatique, VIII:12, 1888) p. 481. Also see Appendix II for Jacobite hierarchies.

5. This was the Armenian Katholikos Vahram Pahlavouni Gregor II (1065-1105), who is repurted to have visited Egypt and Rome as well; Matthew of Edessa in RHC: Armen. I, vii, p. 45.

6. Albert d'Aix, in RHC: Occid. IV. vi, 39. For interpretations, see Fedalto, I, p. 85 & n. 7; Runciman Eastern Schism, p. 85, n. 3; Runciman History, I, p. 288; and George Every The Byzantine Patriarchate, 451-1204 (London SPCK. 1962) 2nd ed. p. 160.

7. Fedalto, I, p. 85; Runciman Eastern Schism (Oxford 1955) p. 85, n. 4; Every, Byzantine Patriarchate (London 1962) p. 160, n. 1; Rustum [see ahead, note 17] II, p. 260; Albrecht Noth Heiliger Krieg und heiliger Kampf im Islam und Christentum (Bonn. Röhrscheid 1966) pp. 122-3 & n. 174.

8. Nicéphore Moschopoulos La Terre Sainte (Athens 1956) p. 132; Iō.D Zazioulas "Hierousalēm" (art.) in Threskeutikè kai Ethikè Egkoklopaideía (Athens 1965) vol. Vi, col. 836.

9. Hotzelt "Kirchl. Organ." pp. 68-69 gives the modified Greek-revisionist version, and in note 1 (p. 68) offers references to the full Greek tradition about Simeon. Also, Papadopoulos Hist. Ekkl. Hier. pp. 381, 393 (1910 ed.). In his "Kirchl, Gesch.", Hotzelt offers some reasons for not taking Albert of Aachen's account as authoritative, pp. 39-40.

10. Michel le Syrien Chronique (ed/tr) Chabot (Paris 1899-1904) vol. III, p. 329. Henri Musset Histoire du Christianisme, (1949) vol. I, p. 440 & Note 3. Rustum, op. cit. vol. II, pp. 262-3.

11. Carl Erdmann Die Entstehung des Kreuzzugsgedankens (1935) Eng. trans. by Baldwin and Goffart (1979)] and review by Louis Bréhier in (RHE 1936) 671-676 reveal the secondary consideration given to the needs of the Holy Land, over protection of the Christian commonwealth in the West. Palmer Throop Criticism of the Crusade (Amsterdam 1940) shows that later criticisms of the Crusades did not much emphasize the scandal of the treatment of the Greek Church at the hands of the Latins; Michel Villey La Croisade (Paris 1942) documents the importance of the Holy Land played in stirring up the First Crusade, but also the abysmal ignorance of most Westerners, failing to

distinguish between Muslim and Greek heresies, to the detriment of the latter; Peter Charanis "Aims of the medieval Crusades" (Church History. 21. 1952); Paul Lemerle "Byzance & La Croisade" in Storia del Medioevo (Florence 1955) both look at how Byzantium viewed Western propaganda of the Crusades, with many misgivings; Allan Cutler "The First Crusade" (Muslim World. 58. 1968) and James Waltz's critique reveal how slight was the notion of converting the heretic Muslims and Greeks; and Maureen Purcell "Changing Views of Crusade" (J. Relig. Hist. 7 1972-73) reiterates the secondary status of the recovery of the Holy Land in papal schemes.

12. Albert d'Aix in RHC: Occid. IV, p. 489. Fedalto, I, 86. On Peter the Hermit and Patriarch Simeon, see LeQuien Oriens Christianus (Paris 1740) vol. III, p. 499.

In Chapter 4 note 17 and text there, we alluded to the career of Patriarch Euthymios. Louis Bréhier places some weight on this Patriarch's stature even in the West, in Alexius' choice of him as his agent to treat with the Normans:

> Le choix de ce messager est significatif, et l'on peut penser que parmi les arguments destinés à entrainer le consentement des Normands, celui de la situation de Jérusalem et de la defense commune de la chrétienté devait peser d'un certain poids.

L'Église et l'Orient au moyen age; Les Croisades (Paris, Gabalda 1928) p. 53 & note 2.

13. See Krumbacher Geschichte Byzant. Literature, No. 20: 9 (p. 82). V. Grumel characterizes Simeon rather as an irenicist and not anti-Latin, in "Jérusalem entre Rome et Byzance" (EO. 38, 1939) p. 104-117. In the same vein, Anton Michel Amalfi und Jerusalem im griechischen Kirchenstreit 1054-1090 (Rome 1939).

Patriarch John of Oxos of Antioch also has anti-Latin tracts attributed to him. More interpretation on Simeon is in H. Hagenmeyer "Chronologie du Royaume de Jérusalem" (ROL 8. 1900/01) pp. 141-142; Runciman History, I, 103; Hotzelt "Kirchengeschichte" p. 40, n. 30.

14. Especially useful are two small German dissertations: Fritz Kühn Geschichte des ersten lateinischen Patriarchen von Jerusalem (1886) and Emil Hampel Untersuchungen über das lateinische Patriarchat von Jerusalem (1899).

15. J. Richard "Arnoul de Choques, légat pontifical à la première Croisade" in "Quelques texts" in Recueil ... à Clovis Brunel (Paris 1955) II, 420-423.

16. Hans E. Mayer Bistümer, Klöster und Stifte im Königreich Jerusalem (Stuttgart 1977) p. 12. Musset, I, 438-440, 447.

17. From note 1: Grousset Histoire, I, 80-115, 385; Runciman History, I, 210-231; Runciman Schism, Chapter IV, pp. 78-101; Runciman in (ed) Setton History, Chapter X, pp. 308-341; Prawer Histoire, I, 214-215; Ashūr al-Ḥarakat, I, 194-218, 393; Fedalto, Chiesa Latina, I, 95-102. Plus the following:

Edouard Rey "Les Dignitaires de la Principauté d'Antioche" (Rev.Or.Lat. 8, 1901) 116-157.

Cyril Karalevsky "Antioche" (art.) in DHGE (Paris 1924) vol. III, part ix, cols. 613-622.

V. Grumel "Les patriarches grecs d'Antioche du nom de Jean" (EO 32, 1933) 279-299.

Claude Cahen La Syrie du Nord (Paris, Geuthner 1940) Chapter IV, pp. 308-326.

Chrysostomos Papadopoulos Historía tès Ekklèsías Antiocheías (Alexandria 1951) Chapter VIII, pp. 890-943.

A.J. Rustum Kanīsatu'l-Madīnat-allah Anṭakīah al-ʿUẓmā (Beirut, al-Nur 1958) vol. II, Chapter 41, pp. 245-285.

George Every The Byzantine Patriarchate (London, SPCK 1962) 2nd ed., pp. 117, 162.

Joseph Nasrallah "Le Patriarcat d'Antioche, est-il resté après 1054 en communion avec Rome?" (Istina 1976: 4) p. 374-404.

18. Paul E. Walker "The Crusade of John Tzimisces, in the light of new Arabic Evidence" (Byzantion 47 1977) 301-327.

19. His name was Nicodemus, the date, 1071. See Jules Gay L'Italie méridionale et l'empire byzantine, 867-1071 (Paris 1904) pp. 549-551; L. R. Ménager "La byzantinisation religieuse de l'Italie méridionale et la politique monastique des Normans d'Italie" (Rev. hist. ecclés. 53, 1958) p. 17; Walter Holtzmann "Papsttum, Normanen, und griechische Kirche" in Miscellanea Bibliothecae Hertzianae (Munich, Schroll 1961) p. 71; Vera vonFalkenhausen Untersuchungen über die byzantinische Herrschaft in Suditalien (Wiesbaden 1967) p. 148; Dieter Girgensohn "Dall 'episcopato greco all 'episcopate latino nell 'Italia meridionale" in La Chiesa Greca in Italia dall' viii al xvi secolo (Padova 1973) pp. 29-30; and M. Amari Storia dei Musulmeni di Sicillia, vol. II, p. 396 (1858) [= 451, n. 2 (1935)] & p. 402 (1858) [= 462, n. 4 (1935)].

20. Jean Richard "Note sur l'archdiocèse d'Apamée" (Syrie 25, 1946/48) pp. 103-108; Fedalto, I, 95-96; see also Chapter 13 at page 375, note 15.

21. Paul Gautier "Jean V, l'Oxite, patriarche d'Antioche" (REB 22, 1964) 128-157, offers a new rendering and a translation of John's act of demission, and two statements before the synod at Constantinople, which were first published by Chrysostomos Papadopoulos "Ho Patriarchès Antiocheías Iöannès E'Oxeitès" (Epetèris Hetaireías Byzant. Spoudōn. 12, 1936) pp. 361-388.

See also Krumbacher Gesch. Byz. Lit. No. 66, p. 156-7, and LeQuien Or. Chr. II, 756-7. Also Chr. Papadopoulos "He Ekklèsías Antiocheias" (Theologia 16, 1938) p. 109. Oderic Vitalis states that John resigned in favor of Bernard of Valence, but Rustum rightly notes that this resignation story was devised by the Latins to provide conformity to church canons, Kanīsatu II, 262-3. Two other works by Patriarch John, dating from ca. 1093, just before he left Constantinople for Antioch, are edited by P. Gautier "Diatribes de Jean l'Oxite contre Aléxis I Comnène" (REB 28, 1970) 5-55.

22. Grousset, I, 320, 372-3, 385; Runciman History, I, 301; 'Ashūr, I, 413-4, and Gesta Tancredi in Migne Patr. Lat. tome 155, Caps. 144-146, 157 (= cols. 581-4, 590); Comte Riant "Inventaire critique" (AOL 1, 1881) No. 122 which concerns Laodicea/Latakiyya in January of 1099, pp. 189-191.

23. Fulcher of Chartres indicates that Bohemond and his cousin Richard of the Principate were captured in late July, Albert d'Aix says August, and ibn al-Athīr September. After Bohemond's capture, Baldwin of Edessa was offered the kingship of Jerusalem, and during September and October, Baldwin moved southwards, staying 3 days in Antioch. Tancred was not yet regent in Antioch, and was himself in Palestine, attempting to gain that crown for himself during these months. So there was no official regent in Antioch until near the end of the year; H. Hagenmeyer "Chronologie du Royaume de Jérusalem, 1094-1100" (ROL, 8, 1900/01) pp. 351-354, 360-371. Thus, there was no firm hand in Antioch, save the presence of the new papal legate Maurice, until the very end of 1100. If Patriarch John was asked to leave, it must have been before Bohemond's departure for Melitènè in July. If John left on his own, he may have decided to take advantage of the absence of Bohemond during this summer.

24. The Ecclesiastical History of Nikephoros Kallistos Xanthopoulos (d. 1327) as in Migne, PG, vol. 146, col. 1196, section on the Translation of Bishops. The Leunclavius edition of the Ius-Canonicum Graeco-Romanum, as in Migne, PG, vol. 119, section entitled "De translatione episcoporum", col. 908, compared to the text of Adèlos in section "Peri Metatheseōn" in Rhallès & Potlès Syntagma tōn Theiōn kai Hierōn Kanonōn, vol. 5 (Athens 1855) p. 393. The Typikon of Patriarch Germanos III of Constantinople, edited and analysed by I. Sykoutris in (Epet. Hetair. Byz. Spoud. 9, 1932) 178-212. This citation is from p. 185 = fol. 268r.

25. In Regestes, I:iii (1947) No. 986, referring to the History of Jerusalem of Patriarch Dositheos Notaras (1715) p. 221. For Sabas, Regestes, I:iii, No. 1004.

26. Oriens Christianus (Paris 1740) III, 500. Sykoutris, op. cit. p. 197, harmonizes the differences in C and E by suggesting that the later version of Kallistos replaced "Caesarea" by "Tyre", and that E preserves the original reading.

27. "La chronologie des patriarches de Jérusalem" in Recueil du Prof. Peter Nikov (Sofia 1940) p. 111-112.

28. "Jérusalem entre Rome et Byzance" (EO 38, 1939) 104-117.

29. Joseph Gill "The Tribulations of the Greek Church in Cyprus, 1196-1280: (Byz. Forsch. 5, 1977) p. 74

30. S. G. Papadopoulos (art) in Thrèskeutikè kai Ethikè Enkyklopaideia (Athens 1965) vol. VII, col. 10.

31. This John VIII is also credited with the authorship of a Bios of St. John Damascene, which can be confusing, as Patriarch John IX of Jer., about 50 yrs. later, is also the author of a Bios of John Damascene.

On the earlier John, see Krumbacher Gesch. Byz. Lit. (2nd ed. 1897) p. 91, 25.3. The Bios is printed in Migne, PG, vol. 94, cols. 429-490. Beck attributes an anti-Latin tract to this John VIII, Kirchl. u. Theol. Lit. (1959) p. 567, 611, 618; but attributes the Bios of John Damascene to a 10th cent. Patriarch John of Jer. (p. 597).

S. G. Papadopoulos, op. cit., follows Krumbacher. L. Petit, in an article on Patriarch John in the DTC, vol. 8 (Paris 1924) col. 766-767, speaks only of John's anti-Latin tract on the azymes.

On the earlier and later Patriarch John, see also Benoît Englezakis "Jean le Chrysostomite, patriarche de Jérusalem au xii siècle" (Byz. 43, 1973) 506-508, who broadens the case by introducing two more Johns!

See also G. Graf Gesch. christl. arab. Lit., vol. II, p. 70, for additional references and S. G. Papadopoulos' art., col. 13, and M. LeQuien, OC, III, 502, and finally Papadopoulos-Kerameos Analekta, vol. IV, 303-350 and vol. V, 405-407 for these lives of John Damascene.

Jean Darrouzès "Le mémoire de Constantin Stilbès contre les Latins" (REB 21, 1963) p. 54 offers some clarification on the authors of various anti-Latin tracts, following-up on Petit's article.

V. Laurent has identified some seals of a Patriarch John of Jerusalem, in his "Les Bulles métriques dans la Sigillographie byzantine" (Hellènika 6, 1933) p. 91, No. 457, the seal reads
Σφραγις σφραγίζω καὶ χυρῶ τὰ πρακτέά τοῦ πατριάρχου τῆς Ζιὼν Ἰωάννου
and is attributed to either the early or later John.

In Corpus des Sceaux de l'emp. byz. (Paris CNRS, 1963) col. V:2, No. 1565 (pp. 397-8), Laurent attributes the seal specifically to John Kodonatus, the successor of Patriarch Symeon.

Some other writings attributed to John Merkouopolis, see the new edition of Chry. Papadopoules' Hist. Ekkl. Hier. (Athens 1970) p. 432, note 2.

32. Grumel (1940) p. 112.

33. It has also been thought that, once recognized by the Patriarchal synod in the Byzantine capital, the exiled Patriarch Sabas was given the living of the eparchy of Marōneia, a common practice in the Prov. of Constnple, as in Grumel Actes. No. 1004, based on Patriarch Dositheos' History, p. 221, the same text as reproduced in Papadopoulos-Kerameos' Analekta, vol. I, p. 24. See also page 155, note 26.

However, a reading of the version in Rhalles & Potlès suggests that the original source(s) has been read in different ways.

Here is the unpunctuated text leading up to the account of Sabas (= citation "D" in our text, above):

Leunclavius Ius Canonicum	Nikephoros Kallistos
	[after the account of John Kodonatos]
In the days of our holy father Patriarch Niketas of Constantinople / the monk of Pentaktenès [= 5-combed] and of Pentaïlas / was first transferred from Rhosianos to the archdiocese of Lemnos / then there was given to him also the [eparchy of] Marōneia / during the reign of Alexis Comnenos / Sabas of Caesarea Philippi / became Patriarch of Jerusalem / and coming here / officiated with Patr. Nicholas and the synod.	While the same Nicholas [Theoprobletos] was governing the Church of Constantinople / the man from Pentaklas was transferred from Rhosianos to the archdiocese of Lemnos / there was also added to him Maronos.
MPG, t. 119, col. 908 = Rhalles & Potlès, vol. V, p. 393.	MPG, t. 146, col. 1196

As printed in Migne, the Leunclavius text has a full stop after Marōneia, attaching the reign of Emperor Alexis to the career of Patriarch Sabas; while the text in Rhalles ties Alexis to the previous case of the bishop of Lemnos. If Patriarch Dositheos thought that Sabas was given the living of Marōneia, perhaps his text drew in the phrase before Alexis and consigned both to the career of Sabas, though the grammar hardly allows that:
...εἶτα ἐδόθη αὐτῷ καὶ ἡ Μαρώνεια ἐπὶ τῆς βασιλείας Ἀλεξίου...
would best lean the phrase to what had gone before, not to something following.

Because of Patriarch Germanos Synodicon, we can see that "C", "D", and "E" all refer to Sabas, who succeeded Symeon, and appeared in the Byzantine capital in 1107. But then the case of John Kodonatus has no tie to Jerusalem at all, as Sykoutris recognizes, op. cit. p. 211. However, as Grumel (1940) p. 112 and Sykoutris, p. 210, both observe, Sabas is not mentioned in any of the surviving diptyches, while John is.

The later account of Kallistos has neither the phrase about Emperor Alexis, nor any mention of Sabas, though his version coincides with that of Leunclavius, for the most part:

[Section on accomodations of episcopal transfers under the Comneni]

Ius Canonicum (c. 1180-1240)	Kallistos (c. 1325)
Case of John Kodonatos	Case of John Kodonatos
"and many other such cases"	The eunuch bishop of Tyre
The monk of Pentailes, from Rhosianos to Lemnos, then Maronaia	The man from Pentaklas, from Rhosianos to Lemnos, then Maronos
Sabas of Caesarea	
Nicholas of Cyprus	
Michael of Amasea	
Nicephoros of Gangra	Nicephoros of Gangra
Bishop of Leontoupolis	Bishop of Leontoupolis
Bishop of Athyra	
Bishop of Alexioupolis	Bishop of Alexioupolis

34. G. Every "Syrian Christians in Jerusalem" (ECQ 1947) pp. 49-50; refuted by Archbishop Chry. Papadopoulos who counters that Florus, or Kataflorus, is the name of a monastery in Constantinople, HEH (1910), p. 407 [= (Athens 1970) p. 446], and also by M. K. Karapiperès "[The historical Character...of the Jerusalem Patriarchate...]" [in Greek] (Theología 16, 1938) p. 324.

The Bollandist editor of the Vita of St. Angelus, Carmelite, of Jerusalem (ca. 1190-1220) finds the possibility appealing but troubling that there could have been two Patriarchal lines in the Greek succession in post-1187 Jerusalem, one nominated from Constantinople, the other locally chosen; but only such a supposition can account for the names of the Greek Patriarchs which appear in the Vita: Acta SS, Mai II, p. 12 (Paris 1868 ed.). The Vita of St. Angelus is dubious anyway.

35. Jenkins and Mango "A synodicon of Antioch and Lacedonimonia" (1961) p. 234.

36. Some references exist which suggest that the Melkite Patriarchate existed for a time in Arab territory. Simeon himself may have travelled to Moab or Petra before going to Cyprus.

This soujourn in Arab-held land may have suggested a precedent, and explains the later reference to a Patriarch Theophilus:

> Tempore Innocentii III Theophilus commemoratur, qui sedem suam in monasterio S. Ioannis habuit, prout patet ex ipsius epistola ad Stephanum Nemanjam, Serborum regem, ubi legitur:
>
> > Theophilus, Dei Gratia patriarcha Hierosolymitanus et totius Palaestinae, Syriae, Arabiae, Transjordaniae, Cannae Galileae et Sionis.
>
> Th. Haluscynskyj "Introductio" to Acta Innocentii PP III [Fontes: ser. iii:2] p. 20 & note, 5.

Further references to this personage are in George Every "Syrian Christians in Jerusalem" p. 48 and nn. 4, 5, and it is presumably to these notes which C. deClercq refers in Fontes Iuridici -

> et patriarchae Hierosolymitani aliquando residerunt in parte sui patriarchatus quae sub musulmanis remanebat.
>
> 65, p. 69

At first glance though, these refer not to Simeon's immediate successors, but to the period after Saladin's recapture of Jerusalem, when Byzantium was negotiating for the restoration of the Greek Patriarchate in the Holy City. Thus the issue belongs not here, but in our discussion at Chapter 12, topic 4.

37. P. Karolidos Peri tès Ethnikès Katagōgès tōn Orthodoxōn Christianōn Syrías kai Palaistinès (Athens 1909) 346, 374, 377, 380. Also J. Prawer "The Armenians in Jerusalem under the Crusaders" in (ed) Michael Stone Armenian and Biblical Studies (Jerusalem 1976) p. 223.

38. E. Rey Les Colonies Franques (Paris, Picard 1883) pp. 76-8 & 89:

> Les Syriens n'en étaient pas moins placés, par la loi et par l'opinion, immédiatement après les Francs et au-dessus des Grecs et des Sarrazins; aussi, se virent-ils promptement admis dans les rangs de la bourgeoisie et en la cour du vicomte, le Syrien était admis au serment, même contre un Latin. (p. 77)
>
> and
>
> > Quoique placés civilement à un degré inférieur aux Syriens, par suite de l'opposition sourde qu'ils ne césserent de faire aux Latins, les Grecs furent neanmoins traités avec bienveillance par les conquerants. (p. 90-91)

Rey seems to include Maronites and native Chalcedonians under the term "Syrien" (p. 76).

Runciman, in Eastern Schism, p. 98.

George Every in "Syrian Christians in Jerusalem (ECQ 1947) 46-54; "Syrian Christians in Palestine in the early Middle Ages" (ECQ 6, 1946) 363-372; "Syriac and Arabic in the Church

of Jerusalem" (Ch. Quart. Rev. 1947/48) 230-240; and in The Byzantine Patriarchate 451-1204 (London, 1962) Chapter 12.

39. Steven Runciman The Eastern Schism (Oxford 1955) p. 98, p. 87, echoing George Every "Syrian Christians in Palestine" (1946), p. 371. For Runcilman, this is another proof that there was not a schism between Rome and Jerusalem in the early 12th century.

40. Runciman, p. 90-91.

41. Papadopoulos-Kerameos Analekta, vol. II, p. 26. There's no trace of this Nicholas in documents from Byzantine sources.

42. Siméon Vailhé "Les Laures de St. Gérasime et de Calamon" (EO 2, 1898/99) p. 117.

43. Histoire du Christianisme, (1948), vol. I, p. 432. See also the quote from G. Every, in Chapter Ten, n. 18.

CHAPTER SIX

The Ecclesial Structure of the Melkite Community: The Bishops

The Latins erected an ecclesiastical province for the Holy Land, consisting of some half-dozen bishoprics, to compliment their assumption of the Jerusalem Patriarchate.

But not all of the Greek Melkite bishops were displaced or evicted by the new Latin bishops. In fact, there is some evidence that as many Melkite bishops continued to function in the Latin Kingdom as there were Latin bishops. Were the Latin bishops installed at the expense of the Melkites? Were some, or any, Melkite bishops directly replaced by a Latin successor, or did the newcomers find empty sees for themselves, as in Jerusalem? And then, what was the post-conquest structure of the Melkite community at the episcopal level? Were the remaining Greek bishops successful in maintaining their former functions and duties?

Our answers will issue from a survey of each new Crusader establishment, diocese by diocese, and of the Melkite sees which were most likely active in the preceeding decades. We will thus detect any possible overlap between Greek and Latin incumbants. We will also consider the difficulties faced by the Melkite bishops in maintaining their continuity of office, and how these difficulties were overcome.

A survey of the new Latin dioceses and those which remained to the Melkites shows that the Latins were of necessity limited in their ability to set up and support so many dioceses. Therefore, they were selective in their choice of sites and made the barest of efforts to evict whichever Melkite they found in place, if indeed they did so at all (save in Tarsus).

1. Transition from Melkite to Latin Bishops in the Province of Jerusalem

Because our focus is on the transition of Greek and Latin hierarchies, we will treat of the eparchies/dioceses of the Jerusalem Patriarchal Province according to the Greek ecclesiastical boundaries, ignoring the modifications introduced by the Crusaders whereby five of the eight bishops of the Metropolitinate of Tyre were detached from the Patriarchal province of Antioch and assigned to that of Jerusalem.

Our first task is to discover if any active Greek bishops apart from Jerusalem were displaced by the erection of a Latin hierarchy.

The new Latin hierarchy in many places duplicated its Melkite predecessor, as far as the titles of the dioceses, but not in ranking:

Latin Prov. of Jerusalem	Greek Ranking
Jerusalem (Latin in 1099)	Patriarchate
[Joppa (1099?)]	Autocephalous archbishop
Lydda/Ramleh (1099)	autoc. abp.
Bethlehem-Ascalon (1110)	autoc. abp. (Ascalon only)
Hebron (1167)	not an eparchy
Caesarea (1102)	Metropolitan sub Jer.
Sebastea/Samaria (1128)	autoc. abp.
Acre/St. John/Ptolemais (1132)	suffragan bishop sub Metr. Tyre

Nazareth-Bethsan/Skythopolis (1110)	Metr. sub Jer. (Skythopolis only)
Tiberias (1144)	autoc. abp.
[Mt. Tabor (1103)]	autoc. abp.
Petra (1167)	Metr. sub Jer.
[Sinai/Pharan]	autoc. abp.

Joppa Archbishop Papadopoulos thought that Joppa was the first Latin diocese erected, but in fact no Latin bishops were set up there, for it remained under the jurisdiction of the canons of the Holy Sepulchre in Jerusalem.[1] Though it was an antique Greek eparchy, it had been vacant for many centuries, and the town itself was not large, nor did it become so under the Franks, as Acre provided a much deeper and safer port.

Lydda Lydda, or Lod, was the first Latin diocese of the province of Jerusalem. Nearby Ramlah had been the former administrative capital of the region until the first Fatimid withdrawal a few decades before the Franks' arrival. When Ramlah fell to the Crusaders, they placed the restored episcopal seat in the abandoned shrine of St. George of Lydda, though the first Latin bishop held Ramlah as a fief for a few years. A Melkite bishop had not likely sat at Lydda for a long time, but its large church had been maintained until very recently.[2]

Bethlehem-Ascalon Bethlehem was erected as a Latin suffragan of Jerusalem in 1110. It had never been a Greek eparchy, though a line of Melkite bishops was begun about 1330 and has continued to our own time.[3] Before this, however, the Franks had named a Latin bishop for Ascalon in 1100-01, a half-century before that Egyptian fortress fell to them. Another

attempt was made to place a Latin bishop there in 1154, but the plan was squelched by the efforts of the bishop of Bethlehem. Ascalon remained a parish of Bethlehem until the diocese of Hebron was established (1167), at which time it was included in the new See. This is important, because Ascalon was an active Greek see during the Crusader period, though this fact may not have influenced the Latins at all in their final decision not to place a Latin bishop in Ascalon.

Hebron Hebron had never been a Melkite diocese, the bishops for this region sitting at Eleutheropolis/Beit Gibelin (or Jibrin), half-way towards Ascalon from Hebron. As we will note soon, the title of Eleutheropolis was temporarily attached to the Melkite eparchy of Gaza. Neither of those towns received a Latin bishop during the time they were occupied by the Franks.

Caesarea When Caesarea was established as a Latin archdiocese in 1102, only a few years had passed since its last known Greek incumbant, Athanasius, had died (not later than 1095). As the Appendix indicates, a Bishop Sabas is known a decade later. Caesarea is our first instance of overlapping Latin and Greek incumbants in the same city. The impact of this is blurred by two problems which occur in most such instances, so we will deal with them now.

(1) Confusion in the identity of the Greek eparchies, of which Caesarea is a typical example.

The Greek and some Latin Notitia usually identify maritime Caesarea as the Caesarea Philippi site where the Apostle Peter confessed to the divinity of Christ. The site for this

event was also, as it is today, identified with Banias/Paneas, near Dan at the source of the Jordan River.[4]

But the documents call Sabas bishop of Caesarea Phillippi, as they do some later Greek bishops of Caesarea in the 14th century. The Greek eparchy of Banias had long been inactive however, and the only sees which remained active before and after the Crusades were usually those along the Mediterranean coast.[5] Nor was there any monastery at Banias from which to draw upon for bishops or to maintain religious life. And there are other differences; Banias is a simple diocese, suffragan to the Metropolitan at Tyre in the patriarchal province of Antioch.

Maritime Caesarea on the other hand is a Metropolitan of the province of Jerusalem. It was very unusual for bishops to transfer to sees outside their patriarchal province. The 12th century Melkite bishops we know about were often those who had transferred from one diocese to another, so those appearing in Jerusalem province should have come from elsewhere in the same province.

The same would hold true for the Antiochene province. These were times of exceptions, to be sure, which might justify transfers between Patriarchal provinces (see ahead, text at note 21 and following). But here, as in our Appendix Two, we presume that maritime Caesarea is meant, not Banias, when the eparchy Caesarea Philippi is mentioned. Dozens of other cities in the Greek lists of hierarchies present analgous problems of confusion: there are two or three eparchies named Antioch,

Banias, Gebail, Hierapolis, Laodicaea, Neapolis, Philadelphia, Sebasteia, Petra, etc., which make it hazardous to construct lists of bishops.

(2) Absent incumbants. A document may mention a bishop of an eparchy, but during times of political insecurity, we cannot presume that the incumbant resided in his See.

It is possible that these two bishops of Caesarea, Athanasius (died ca. 1095) and Sabas (fl. 1110-1115) were absent on Cyprus or in Constantinople, and not living in Palestine. However, some clues in Athanasius' ascetical writings,[6] and Sabas' journey to Constantinople (via Caesarea and Jerusalem?) only in 1115 (see Chapter Five), suggest that both could have resided in Palestine.

We can now return to our survey of transitions in dioceses.

Sebasteia The capital of Samaria was an active Greek eparchy, as the Appendix shows, though there may not have been any resident bishops there in 1099, and a Latin bishop was not placed there until 1128.

Acre (or Akko) had a Latin bishop by 1130; he was a suffragan of the archbishop of Tyre until the Patriarch of Jerusalem permanently included Acre into his province after 1187, and absorbed the See itself in a personal union in 1272. The city appears in the Greek Notitia as Ptolemais, but we know of no Greek bishops resident there for many years before the arrival of the Franks.[7] Like almost every other Christian sect, the Melkites had a bishop for Acre after the Third

Crusade had secured it, and after the Byzantine administration had re-settled at Nicaea (1215). These Oriental Christian bishops remained in the city until Acre fell to the Mamluks in 1291.

Nazareth/Scythopolis The Latin diocese was founded in 1110, and took its title from the former Greek See at Skythopolis, or Beth-shan, a 2-3 day walk to the south-east. Nazareth had never been a Christian diocese before this time. With regard to Beth-shan, no Melkite bishops are known for many centuries before 1110. It was in a ruined state when the Franks arrived in Galilee, though it had been a vital community into the Umayyid period. Nazareth was in no better condition, but its religious traditions appealed to the Latins' piety, and they re-built it. Beth-shan recovered somewhat as well, but remained largely a Muslim town in Crusader times and thereafter.[8]

Tiberias The Latin diocese of Tiberias was erected only in 1144. According to the Comm. Casis Dei, it was an active eparchy in the early 9th century. The Vita of St. Leontios mentions a Greek bishop of Tiberias who had been absent from his See for some years but was returning to it around the year 1145/50.[9] Moreover, Appendix Two shows a Jacobite bishop resident (?) there in 1007.

Mt. Tabor was not a regular Latin diocese. The first abbot of the Latin monastery there, Girald, was granted the title of Archbishop of all of Galilee by Tancred when he was prince of the region, and Girald was still holding the title

in 1103. But the Latin abbots were not allowed to continue with this pretention after the Latin diocese of Nazareth was established. A Greek monastery continued to operate at Mt. Tabor during the Crusader period, but we hear nothing of Greek bishops in this antique see after the Comm. Casis Dei mention of one around the year 808.[10]

Petra was a late creation, the last to be established along with Hebron in 1167. The names of the various antique sites of Petra and of the various Crusader castles in Trans-Jordan is confusing and misleading. The reader is referred to the Appendix on Petra for an elaboration of the problems we will ignore here, limiting ourselves to the following:

(a) The Lord of Oultre-Jourdain resided originally at Kerak de Montreal de Shaubek (built around 1115), but later at Kerak de Moab, after it was built in 1142.

(b) The Latin bishop, like other frontier bishops (Banias, Hebron, Apamea), resided in the castle of the Latin lord, not in the actual antique site of his title, if the latter was not well fortified and/or not a developed Latin settlement.

(c) Only a small fort was built on the antique site of Petra, at Wadi Musa, so the more massive fortress in Moab is the more likely episcopal residence.

(d) No Greek bishops, nor bishops of any other sects, are known for the area of Roman Arabia south of Damascus after the Umayyid period.[11]

As we summarize this survey, remember that we are concerned only with ten active Latin dioceses from the province, including Acre, but excluding the other Sees apportioned from the north by Rome: Tyre, Beirut, Sidon, and Banias. We will discuss these in the following section.

Of these ten, six were erected on prior sites of Melkite eparchies (Lydda, Caesarea, Sebastea, Acre, Tiberias, and Jerusalem); two took claim to titles of earlier dioceses, but resided in different locales (Nazareth, and Petra); and two others, Bethlehem and Hebron, were new creations in the full sense. It has been remarked that the Latins erected a novel hierarchy in the Holy Land, based less on Greek precedents than on Western piety.[12] Now we've seen that only two of the ten Latin sees in Palestine were really novel. The novelty of the Latin hierarchy was in making Nazareth a Metropolitan (though this might be expected if Nazareth assumed the rank of Skythopolis), and in preferring, of the few sites they could reasonably maintain, those with particular liturgical and pietistic interest (Hebron, Bethlehem, and Lydda) rather than picking only those of civil importance (Joppa).

Jerusalem is the only documented case of an immediate Latin succession to a prior Greek incumbant. The same thing may have occured in Caesarea, Tiberias, and Sebastea, though we suspect the latter two of being abandoned some decades before 1099.

More to the point, it is likely that there were any Melkite bishops in Palestine in the 1090s? We can suggest

that at least three sees had resident Greek bishops in the 1080s when Simeon was elected Patriarch. Like his predecessors in Jerusalem, Simeon was not a bishop at the time of his election, nor sent down from Constantinople already consecrated. Thus, he required the canonical minimum of three consecrators. We explore this problem further in Topic 3 of this chapter.

What other Greek dioceses were active in the 12th century whose sees were not altered into Latin-Rite dioceses? The Appendix shows bishops in Gaza, in Ascalon, and at St. Catherine's in Mt. Sinai. The bishops which appear on the lists at Skythopolis, Gaza, and Ascalon for the year 1146 were derived from a faulty reading.

Ascalon came into Crusader hands only in 1153. Saladin recovered it in 1187, and the Frankish forces regained it briefly in 1192-93, and in 1240-47. By that time, the civilian settlement had been ruined and the fighting involved control over a ruined fortress.

Gaza was occupied by the King of Jerusalem in 1149, but Saladin destroyed its citadel in 1171, and Frankish control was uneven thereafter until it fell to the Egyptians for good in 1187.

Despite these devastations, the Greek Christians tried to maintain bishops in Frankish-occupied Ascalon and Gaza,[13] and the Latins did not challenge their authority by placing their own bishops in those cities.

The Melkite archbishops in Sinai were typically as much under the influence of Egypt as of Palestine, and their

isolated location enabled them to survive somewhat autonomously throughout our period. Muslim rulers, the Byzantine emperors, the Papacy and the Latin kings in Jerusalem were in touch with the monastery from time to time.[14]

The occasional presence of Melkite bishops in Gaza and Ascalon, in addition to Tiberias and Sebastea, make it appear that there was at least one Greek eparch active in the Latin zone during the 12th century.

This slender thread of continuity, passed from one See to another, seems to have been unaffected by the installation of Latin bishops in some of the sites (Caesarea, Tiberias). But the lack of any hint of Latin-Greek confrontation in the documents implies that the Melkite pastors consciously kept their activities unobtrusive, aware of Latin sensitivities about their claim to supreme ecclesistical authority in the Crusader Kingdom.

Greek resistance to Latin claims was more pronounced in the Latin Principality of Antioch. So we will next review the transition from Greek to Latin incumbants in the dioceses of Syria, for comparison's sake.

2. The Province of Antioch

Our investigation of Latin Syria is meant to recover any evidence of how the Crusaders dealt with the surviving Greek Melkite ecclesial structure, and so perhaps put us in a position to better understand what was done in Palestine. Here are the dioceses created for the Latin Church in Frankish

Syria, and the corresponding Greek ranking of these sees.[15]

Latin Prov. of Antioch	Greek Ranking
Antioch (Latin in 1101)	Patriarchate
Gabala (1115)	Archbishop [= maritime Jebail]
Laodicea (1141)	autocephalous bishop
Apamea (1110)	Metropolitan
Seleukobela/al-Bara (1098) [joined to Apamea]	suffragan of Apamea
Artasia/Arethusa (1099)	suffragan of Apamea
Raphane (1127)	suffragan of Apamea
Balanea (1148)	suffragan of Apamea
Edessa (1099)	Metropolitan
Hierapolis/Mabbug (1134) [as Tulippensis]	Metropolitan
Mopsuestia (1099)	Archbishop
Tarsus (1099)	Metropolitan
Korycos (1136)	suffragan of Tarsus
Tyre (1122)*	Metropolitan
Tripoli (1112)	suffragan of Tyre
Tortosa (1127)	suffragan of Tyre, as Orthosias
Byblos (1132)	suffragan of Tyre, as Jebail
Beirut (1111)*	autocephalous bishop
Sidon (1132)*	suffragan of Tyre
Paneas/Caesarea Philippi (1138)*	suffragan of Tyre
Acre/Ptolemais (1132) *	suffragan of Tyre

Thus, all of the Latin Sees were erected on antique sites, presuming that Latin Tulippa is synonymous with Greek Hierapolis, and al-Bara with Seleukobela. By 1101, the Crusaders had established six dioceses in Syria/Cilicia (the province of Byzantine Antioch) sitting in what were customarily Greek Sees. Were there Greek titulars in these towns when the Franks arrived, and if so, what happened to them?

Antioch We've seen that the Greek Patriarch of Antioch

---

* These are the dioceses Pope Paschal II transferred to the Patriarchal Province of Jerusalem, to accord ecclesial boundaries with political ones.

retained his office for approximately 18 months. When he left, his absence was interpreted as demission of office by the Latins, though not by the Greeks. The Latin bishop of Artasia was selected to be the first Latin Patriarch, and within a few years shadow Greek Patriarchs resided in Constantinople.

Laodicea In Chapter Five we saw that Latakiyya was manned by a Byzantine garrison off and on from 1099 to 1104 during which periods a Greek bishop may well have resided in the city. By the time a Latin bishop was assigned to the see in 1144, many decades had passed with no hint of a Greek incumbant.

Apamea Al-Bara was taken on a raid by Count Raymond of St. Gilles. It was a Muslim town at the time, so there were no bishops or clergy resident, though a Greek bishop of al-Bara is mentioned in 1081 during the Turkish conquest of Shaizar.[16]

Raymond felt able to nominate a Latin candidate for the restored diocese, Peter of Narbonne. When bishop-elect Peter returned north after the Jerusalem campaign a few years later, he was given the Metropolitan title of Apamea in advance of that city's capture by the Crusaders. Jean Richard suggests that al-Bara remained the commoner title to this double-diocese because that site was better fortified than Apamea, so the bishop usually resided at al-Bara. While there were no known Greek bishops in either town in 1098-1099, the Appendix shows

a Metropolitan George of Apamea attending synods in Constantinople in 1147 and 1157. The Franks were no longer in al-Bara or Apamea by that time, the Muslims having recovered both in 1148 and 1149 respectively.

Edessa Armenian noble and warrior families had dominated Edessa for many decades, though the Jacobite population had been the largest community numerically since the late 9th century, and they had their own Metropolitan bishop. The Nestorians and Greeks had bishops in Edessa at earlier periods. After the city came under Seljuq control in 1070, a Greek mercenary garrison was allowed to remain. Philaretos, a Chalcedonian Armenian, became ruler of the city soon thereafter, until other Armenian and Seljuq governors took over right up to the arrival of Baldwin and Tancred in 1098.[17]

The Appendix shows two obscure references to possible Greek bishops in Edessa at the turn of the century; even if the references are correct, these Melkite bishops were not as prominent as the Armenian and Jacobite hierarchs.

The new Frankish regime installed a certain Benedict as the first Latin Metropolitan; he took for his cathedral the large Church of St. John the Baptist, which had been the customary site of the provincial courts. It was probably expropriated from the Greeks. Though the Melkites of Edessa may have lacked a bishop in 1099-1100, they managed to retain possession of the old Cathedral, Hagia Sophia. The Jacobites and Armenians had many churches of their own, and their bishops remained too.[18]

There was no clear notion among the first Latin arrivals as to what extent the various Armenian, Jacobite, Nestorian and Melkite factions were in schism or heresy. The Syrians and Armenians continued to dominate local religious and civil politics anyway, and it was among these groups the Counts of Edessa made and shifted their alliances, leaving the Latin Metropolitan as a deputy in their absence.

It was his civil responsibilities which gave the Latin bishop his importance, not the size of his flock. By any criteria, the Greek community had little prestige in 12th century Edessa.

Mopsuestia The Greek bishop was one of the three consecrators of Patriarch John of Oxos of Antioch in 1088, along with the bishops of Anazarba and Latakiyya.[19] But this event happened in Constantinople and at the time, Mopsuestia was more or less under Byzantine control. This was not the case when the Western host reached there in 1097, for the Turks controlled the area. Presumably, the Greek bishop had retired to safer territory.

Tarsus had undoubtedly had resident Greek bishops since the city's return by Byzantine control in the 950s, as the lists in the Appendix indicate. Latin bishops were appointed only fitfully with long vacancies in between as Tarsus frequently changed hands between Byzantium, Latin Antioch, and Armenian Cilicia. As in Edessa, each community had to look to its political supporters for pre-eminence, and the Latins were often evicted completely when one or the other non-Latin power

controlled the region.[20] Because the Latin presence was less stable than in Edessa or other cities, the experience of the Latin hierarchy here typifies the range of responses towards the native Christians: firm and intolerant during periods of Latin supremacy, alternating with a willingness to abide alongside prelates of other churches when nothing else could be done.

Tyre The coastal cities around Tyre had achieved partial independence from Egypt after the Seljuq invasions, and were acquired piecemeal by the Crusaders, as it was a difficult task to take these ports without a fleet. The Franks gained the entire coast only in 1132.

Various Muslim Arab clans dominated some of the towns, such as the Beni 'Ammar of Tripoli, whose power base was in the interior. They did not interfere in the functionings of their dhimmi subjects, nor would have the occasional Fatimid governors who appeared each spring with the Egyptian fleet.

Nonetheless, no Greek bishops -- nor bishops of any Christian sect - are known from this coastal region after the early 10th century, though many were re-established during the 13th century during the existence of the Second Latin Kingdom. The only two exceptions are at Tyre and Sidon.

According to some accounts which we've analysed in Chapter Five, John Codonatus was bishop of Tyre before being chosen to succeed Simeon as Patriarch of Jerusalem. Such translations between Patriarchal provinces (from Antioch to Jerusalem) were irregular. These were unusual times however,

and Tyre had played just such a crucial role during an earlier period of flux, the Muslim invasions of the 7th century.[21] In any event, this would have happened before Tyre surrendered to the Crusaders.

The Melkite bishop Paul of Sidon is known to us through his polemical writings which have been dated around 1150-1180 (later by others; see Appendix Two). There is no reason to presume that Paul the Monk, as he is known, was part of an unbroken succession of bishops at Sidon from the 11th century. But Paul is the only Greek bishop whom we know for certain carried out his episcopal duties at the same time a Latin bishop resided in his city.

To summarize: of the first Latin dioceses in Syria and Cilicia, only Antioch provides a clear instance of direct Latin succession to a Greek prelate. Elsewhere, in Edessa, Apamea, Tarsus, and Mopsuestia, Latin bishops followed close on the heels of known Greek hierarchs, but there's no evidence that a decade or more hadn't intervened between the two. No other towns or cities under Frankish control in the early 12th century show any signs of having Greek bishops within the past century. The lists in Appendix Two show Jacobite bishops at this time in Tarsus, Edessa, Harran, and Mar'ash, and also an Armenian bishop in Mar'ash, around 1100. The Latins rarely interfered with any of these non-Chalcedonian bishops. Politics and military fortune arranged that confrontations between Latin and Greek hierarchs in the same city were quite rare.

3. Residual Melkite Eparchies

Non-Latin bishops were never explicitly forbidden to exercise their ministry in the Latin Kingdom of Jerusalem. Latin Cilicia was perhaps the only district where the tenuousness of Frankish control impelled the occasional eviction of any non-allied native hierarchy. But in Palestine we know that the Jacobite and Armenian hierarchies functioned uninterupted throughout the Crusader period. Yet we hear of very few Greek bishops. Were the numbers of the Melkite faithful so few?

To answer this question, we come up against the crucial difference between the status of the Melkites and of the other Oriental churches under Frankish rule. The Melkite bishops had no autonomous leadership available to them. The Armenian Katholikos and the Jacobite Patriarch did not usually reside in Crusader territory, but they visited their churches in Latin territory often, and were on good terms with the Frankish rulers of Jerusalem, Antioch, and Edessa. The bulk of the Maronite hierarchy, including their Patriarch, lived inside the County of Tripoli. But the Greek Melkite Patriarchs of Jerusalem and Antioch were in exile in Constantinople, forbidden by the Franks from exercising their authority in Latin Oultre-Mer. The Melkite bishops who stayed behind at their posts were thus in an awkward position, and so they remained largely unnoticed because they were not able to function in the traditional administrative setting of their community. In fact, the resident Melkite bishops were semi-officially

subject to the Latin Church, though this relationship was hardly formalized, leaving them in a state of limbo, or one of benign neglect. The practical questions raised are these: Who consecrated new Melkite bishops? Or did they enter the province already consecrated from the outside? How did they communicate with their exiled Patriarchs or with confrères across the Latin/Arab border?

Archbishop Papadopoulos suggests that the Greek bishops of the Antiochene province simply went to Constantinople for consecrations,[22] and this may have been the case for Jerusalem too. In Chapter 12, topic 3, we will explain that Byzantine-Latin relations during the 12th century were friendly, as far as Jerusalem was concerned. If, alternately, Melkite candidates to the episcopacy were consecrated in mixed ceremonies (Latin and Greek co-consecrators), of simply by Latins, as became the practice in southern Italy, these novel and peculiar arrangements should have left some trace in the literature, but we have not detected any.[23] So we can only presume that new Melkite bishops arrived in Latin Palestine from abroad already consecrated. This seems to have been the case for the Melkite bishop of Tiberias (1150s) and bishop Paul of Sidon (fl. 1150-80), both monks by the way.

What about contacts with Melkites in Arab lands? We have discussed the problem of split provinces in Chapter Four, Topic 3. Political boundaries running across religious provinces were not easily bridged, so that contacts across them were infrequent. The Melkites in Arab territory faced formidable

challenges of their own, hardly able to help themselves much less their co-religionists in Crusader cities. The Greek bishop of Aleppo fled to Antioch in 1124 when the Muslims destroyed his cathedral. Bishop Sergius of Damascus had not been so fortunate to escape and suffered martyrdom in the 11th century. The Mediterranean coast offered protection for such refugees, but their ties to the interior were not thereby totally cut.

Obviously, the Melkite hierarchy of Antioch and Jerusalem had to retrench their positions. As later in Asia Minor, it was not unusual for some eparchies to be joined together in personal unions to a particular bishop, both to provide the incumbant with an adequate living among sparsely-populated dioceses, and to preserve the original successions should conditions change for the better. Meletios the Melkite, archbishop of Gaza, signed a document in 1173 in which he adds the title of Eleutheropolis to his own in a personal union.[24]

Eleutheropolis, or Beit Jibelin, to the west of Hebron, was not a large town any longer, and had not had a resident Melkite bishop for well over a century, so its title had probably been attached to any number of other Melkite bishops functioning in the vicinity. The Melkite metropolitan Ignatius of Epiphania (in the ecclesiastical region of Anazarba/Mopsuestia) in the 13th century signed a colophon with the additional title of Irenopoulis, a city in the same province.[25]

A more drastic arrangement was to arrange for multiple titles outside a bishop's original province to be attached to

him. Thus Sabas bishop of Caesarea, elected Patriarch of Jerusalem and later living in exile, may have acquired the living of the eparchy of Maroveia, though the reading is doubtful.[26]

Another clue to the presence of bishops is to look for the work of local synods. Yet our sources lead us to presume that there was no continuing synod of Palestinian bishops, and none for Antioch either. The bishops were scattered, some still in residence, others exiled on Cyprus or in Byzantium. This encouraged the Patriarchal synod in the imperial capital to take the initiative in securing the patriarchal successions for Antioch and Jerusalem, and to oversee the disposition of the properties of the Oriental sees in Constantinople and elsewhere.[27]

Patriarchs John and Sabas were probably elected locally in the Holy Land. The Oecumenical synod later regularized the elections, which would have been unnecessary if their election and transfer had been recognized by a synod of Palestinian bishops. Subsequent patriarchs like Nicholas may have resided on Cyprus and been elected without Imperial intervention. John IX and Nicephoros were clerics of the Great Church of Constantinople, nominated by the Emperor and the synod, and consecrated by the Oecumenical Patriarch, as were the shadow Patriarchs of Antioch.

Though the number of Melkite bishops remaining in Latin territory during the 12th century was small, matters did improve

during the Second Latin Kingdom in the 13th century. We are certain of having identified only a fraction of dioceses active in the 12th century because they fell into no-one's basket, as we've described. For this reason, they temporarily disappear from the usual sources of information about consecrations and episcopal transfers.

* * * * *

It does not require a lengthy study of Appendix Two to see that non-Latin bishops did not disappear from Latin-held cities during the 12th-13th centuries. Indeed, the Crusades and the establishment of Latin hierarchies probably stimulated the non-Latin churches to re-establish their presence in many cities which they had left behind during the previous centuries.

Despite the absence of their Patriarchs, the Melkites shared in this brief recovery of local Christianity before the harsher times ahead, the Ayyubid revival of traditional Islam, and the devastations of the Mongols.

In this chapter, we have merely presented the data showing that there were Melkite bishops active in Crusader Syria and Palestine. The questions of how they functioned in the context of Latin religious hegemony is deferred to Chapter 13, for it concerns the policy conflicts between the Papacy, the Latin Church in Palestine, and the various civil factions among the Franks. The Melkites were largely powerless to influence the prevailing policies the Franks adopted towards them, and could merely try to adjust.

The Melkite community did not depend solely upon its bishops, however. Another community institution which survived, indeed flourished, during the Crusader occupation was monasticism.

1. Chry. Papadopoulos Historía tès Ekklèsías Hierosolymōn (1910 ed.) p. 383; though as Joshua Prawer The Latin Kingdom (1972) 165-6, and H. E. Mayer Bistümer, Klöster, u. Stifte (1977) 20, 205-214, show, the mistake began with Michael the Syrian. The error survives today however, as in a Ph.D Dissertation directed by Prof. Marshall Baldwin; J. Atlas The Organization of the Kingdom of Jerusalem (New York, 1969) p. 74.

2. ʿĀshūr al-Ḥarakāt, I, 276-7; Prawer Histoire, I 115; Fedalto Chiesa Latina I, 97. Though we hear nothing about Melkite bishops at Lod/Lydda/St. George, the church there was very large and kept up in repair until just before the arrival of the Crusaders. A sampling of testimonies --

> The Guide of Epiphanius (ca. AD 840) mentions that the church of St. George in Lydda is a very large one (MPG, t.120:cols. 263-4)
>
> According to Yahya ibn Sa'id al-Antaki, the Greek bishop of Ascalon retired and died in Ramlah (next to Lydda) shortly after AD 940, when his church in Ascalon was razed by the Muslims (Patr. Or. XVIII, 5 p. 719 = fasc. 1 (1924) p. 21
>
> al-Muqaddasi's Description notes that the caliph Hisham coerced the Christians into turning over to his use the marbel columns they'd made for the repair of the Church at Lydda; and he comments that in his own day (ca. AD 960), the church at Lydda is standing, and it is a large one; (deGoeje ed.) (Leiden 1906) pp. 170 & 147 = (le Strange trans.)(London, PPTS 1886) pp. 34 & 59.
>
> The diploma given in AD 1020 to the new Patr. of Jerusalem, Nicephoros, by the calif al-Ḥākim, in Yahya's version, specifically mentions the Anastasis Basilica in Jerusalem, the Nativity Basilica in Bethlehem, and the Church of St. George at Lydda, as sites to be restored and given protection; (Cheikho ed.) CSCO: Scr. Arab. ser. iii; t. vii, pp. 230-231.
>
> Finally, Severus ibn al-Muqaffa' himself visited the Church at Lydda during his journey to Palestine around AD 1080; 'Abd al-Masih & Burmester ed/tr (Cairo 1943) Hist. of the Patriarchs, II:3 p. 358.

When the Greek Orthodox hierarchy was partially restored after Saladin's recapture of the Holy City and the interior of Palestine, Lydda seems to have been one of the sees which was reactivated, for a time. We suggest this, because it was the exiled Greek bishop of Lydda, Isaias, whom King Aimery of Jerusalem & Cyprus allowed to be elected at Metropolitan of

Cyprus by the Greek bishops on that island, in ca. 1205. See Chapter Five, p. 119, and note 29; and V. Laurent "La Succession épiscopale" (REB 7, 1949) p. 36.

3. Mayer, op. cit. pp. 54-59; le Comte Riant "Éclaircissments sur...l'Église de Bethléem-Ascelon" (ROL, 1 1893) 501-504.

4. H. Gelzer, "Bistümverzeichnisse" (Byz. Zeit. 1, 1892) p. 251; Nicephoros Kallistos Eccles. Hist. XIV:xxxix = MPG t. 146: col. 1197. The greek pilgrim John Phocas (ca. 1185) and the Russian abbot Daniel (ca. 1106) make this confusion of maritime Caesarea with Caesarea Philippi, but most Latin itineraries do not.

5. C. Karalevsky Hist. des Patriarcats Melkites (Rome 1911) III, 263-4.

6. V. Grumel "Le Jeune de l'Assomption dans l'Église grecque" (EO 32, 1933), pp. 162-194, esp. p. 174, though Grumel hazards that Anastasius was bishop of the Banias/Paneas site of Caesarea Philippi. The text of the Tract is in Migne, PG t. 127; written around 1088; col. A. cites the recent writings of the resident Melkite Patriarchs of Antioch -- Peter, Theodosius, and John -- though they were known of in Constantinople, (col. 524 C-D).

7. As in J. Nasrallah "Acre chrétienne du début de la prédication de l'Évangile aux Croisades" (POC 29, 1979) 301-305.

8. Wilhelm Hotzelt "Kirchengeschichte" (1940) p. 74; Meron Benvenisti The Crusaders in the Holy Land (Jerusalem 1970) p. 165-166; Alan Rowe The Topography and History of Beth-shan (Philadelphia 1930) p. 53-54.

9. In the Vita by Theodore, monk of Constantinople; see Chapter 12.

10. Hotzelt "Kirchengeschichte" (1940) p. 75; Fedalto, II, 167; Benvenisti, 358-360.

11. Save the statement of J. Nasrallah: "[Krak as-Sobak] connut durant les Croisades une série d'évêques melchites qui exercerènt une action beinfaisante sur les destinées du monastère de Sainte-Catherine du Sinai" in his "Les historiens musulmans" (Bull. Études Orientales, 30, 1978) p. 117. As we have explained, the Latin bishops resided in Krak de Moab to the north of Shaubak.

12. Prawer Latin Kingdom (1972) p. 164-166; M. LeQuien Oriens Christianus vol. III, col. 785.

13. Gaza had a very Greek Chalcedonian community, as opposed to an Arab Chalcedonian one, so the Crusaders allowed them to keep their Greek bishop, an interpretation offered by Shemadah and Nikola Khouri, [A Short History of the Orthodox Church of Jerusalem](in Arabic) (Jerusalem, 1925) p. 71, citing a "Tārikh Ḥarīsustumus" 383.

14. See Louis Cheikho "Les archevêques de Sinai" (Mélanges de l'Univ. de S. Joseph, 2, 1907) 408-421, and an Act of Pope Honorius III re: S. Catherine monastery in the Sinai, from AD 1217, in Acta Honorii III (ed) A. Tăutu (Roma 1950), No. 17.

15. H. Gelzer "Bistümverzeichnisse" (Byz. Zeit, 1, 1892) esp. pp. 245-282; S. Vailhé "Une notitia episcopatuum d'Antioche du X siècle" (EO, 10, 1907) 90-101; Karalevsky "Antioche" DHGE, III; part ix, cols. 613-622; Karalevsky Hist. Patr. Melk. III, 233-235; H. -G. Beck Kirche u. Theol. Literature 191-196; J. Nasrallah "Le MS No. 180 de la Bibl. Orient. de Beyrouth" (POC, 12, 1963) 221-233 (a follow-up of article by J. Dauvillier from REB, 1953); Fedalto Chiesa Latina (1973) vol. II, 84-139.

16. See Chapter Four text at note 36 and Jean Richard "Note sur l'archdiocèse d'Apamée" (Syrie 25, 1946/48) 103-108, who makes the identification between Seleukobèla and Al-Bara. On this, and the identification of Tulippa with Mabbug, see Fedalto, vol. I, p. 94-97, and E. Rey in Rey/Du Cange Les Familles d'Outre-Mer (Paris 1869) 765-766.

17. E. V. Dobschütz "Die Konfessionellen Verhältnisse in Edessa unter der Araberherrschaft" (Z.f. Wissenschaft, Theologie 41, 1898) esp. pp. 376-391; J. Laurent "Dès Grecs aux Croisés; étude sur l'histoire d'Edesse entre 1071 et 1098" (Byz. 1, 1924) p. 367-449; A Rücker "Aus der Geschichte der jakobitischen Kirche von Edessa in der Zeit der Kreuzfahrer" (Or. Chr. III:10, 1035); Ruben Duval Histoire politique, religieuse, et littéraire d'Edesse, jusqu'à la première Croisade (Paris, 1892) esp. pp. 272-4; J.B. Segal Edessa, the Blessed City (Oxford, 1970) esp. pp. 207-241. Segal and Duval flatly deny that there were any Greek Melkite bishops in Edessa during the Latin occupation (1098-1148), but we suggest that there may well have been some resident during the previous period of Byzantine occupation, ca. 1031-1072.

Michel LeQuien's notices for Edessa include the remark of a Melkite bishop present in the city in ca. 1100:

> This concerns the dispute between the Jacobite Patriarch Athanasius and his bishop in Edessa, Abú'l-Ghālib, and the various parties involved in trying to settle the dispute:
>
> > Vero ad Antiochiae principe per Abdelmessiam episcopum Melchitarum Edessanum obtinuit, ut ad coenobium Eliae in cancrator Amidensis regionis pago se reciperat.
> >
> > Or. Chr. II, col. 968

LeQuien's source is Bar-Hebraeus, per Assemani's citation, which actually reads as follows:

> Is Athanasium rogavit, ut Abugalebum a censuris solveret. Reasantem excedere urbe vetat. Athanasius a principe per Abdelmessiam Edessenum Melchitam impetrat, ut ad coenobium Eliae in cancrata Amidensis regionis pago situm se recipiat.
>
> Bibl. Or., II, 359.

It is finally only in the original Bar-Hebraeus text that we learn who this Abd al-Masih is:

> Ad se porro occivit Abelmessiam Edessenum, philosophum Chalcedoniensem et amicum suum..."
>
> Chron. Eccl. (eds/trs) Abbeloos & Lamy (1874) vol. II, pp. 475-6.

As Segal knew, then, op. cit. p. 241, 'Abd al-Masih was the noted Melkite philosopher, not a bishop.

Severus ibn al-Muqaffa' provides valuable population figures for Edessa in AD 1071: 8,000 Armenians, 20,000 Syrians [= Jacobites], 6,000 Rumis [= Melkites], and 1,000 Afranji [= Westerners]; Hist. Patr. (Cairo 1943) II:3, p. 305 [= fol. 170v].

18. Segal, 122, 184, 213, 218, 237-240.

19. Papadopoulos Hist. Ekkl. Antiocheías (1951) p. 897.

20. R. Grousset Histoire, II, 97, n. 2; Ed. Dulaurier Étude sur....Royaume de la Petite-Arménie (Paris, Impr. Nat'l, 1862) p. 4; Bernard Hamilton "The Armenian Church and the Papacy at the Time of the Crusades" (East. Churches Rev. 10 1978) esp. pp. 62-65.

21. During the late 7th or early 8th century, the Melkite historian Eutychius relates that the two remaining Melkite bishops in Egypt, having elected a cleric to fill a vacancy, had to travel to Tyre in order to make up the required three episcopal consecrators; in Migne PG, t. CXI, col. 1105.

22. In Papadopoulos' article in (Theologia [Athens] 1938) pp. 109-110.

23. LeQuien Or. Chr. III, col. 792, which concerns Pope Innocent III's arrangements for Latin consecration of Greek bishops in Latin Constantinople, based on earlier patterns set in southern Sicily. But no materials exist to show that these patterns were ever in use in Crusader states in Syria and Palestine.

24. Röhricht Regesta Regni Hiersolymitani (Innsbruck 1893) No. 502. A photocopy of the document with Meletios' signature is in delaville le Roulx "Trois chartes" (AOL, 1, 1881) p. 414-415. Meletion and his double-diocese is discussed in Gustav Beyer's "Die Kreuzfahrergebiete sudwestpalastina" (Z. Deut. Pal. Ver. 68, 1946/51) P. 174-176, and in H.E. Mayer Bistümer (1977) p. 406-407.

25. Papadopoulos-Keraméos Hierosolymitikè Bibliothèkè vol. II, No. 99. Other examples of multiple episcopal livings provided for refugee bishops, in 13th century Anatolia, are given in Hélène Ahrweiler "l'Histoire et la géographie de la région de Smyrne" in Travaux et Memoires (ed) Paul Lemerle, vol. I (Paris 1965) p. 81-82.

26. V. Grumel Les Regestes I, Les Actes des Patriarches, fasc. iii (Istanbul 1947), No. 1004, from the year 1117/8. But now see Chapter 5, note 33.

27. Letter No. 31 of Nikon of Black Mountain, regarding the properties of the Patriarch of Antioch, held in trust by Constantinople, p. 581, line 30 to p. 582, line 14, in V. Beneševič Catalogus Codicum MSS Graec. qui in Monasterio St. Catharinae, vol. I (St. Petersburg 1911).

CHAPTER SEVEN

The Ecclesial Structure of the Melkite Community: The Monasteries

The Frankish impact on the Melkite ecclesial structure was considerable, as we've seen. It is thought to have extended beyond hierarchies, down to the local churches and monasteries of the native Christians. But compared to the Melkite hierarchy, the Chalcedonian monasteries in the Holy Land were less adversely affected by the Crusades.

To get a fairer image of the Frankish impact at this level, we need to ask: How important were monasteries in the religious and social life of the native Melkites? And did they play any leadership roles in the community? As we find answers to these questions, we can assess the impact Frankish policies toward Melkite monasteries, their properties and incomes, had on the Melkite community as a whole.

Monasteries in the provinces and rural areas were used to supporting themselves, in part. But the popularity and responsibilities of many of the Greek religious houses in the Holy Land necessitated additional support. If the Melkite monasteries survived under Latin rule, their access to incomes--donations and property--must have also been maintained. For this reason, we evaluate some suppositions concerning the Latin takeover of Melkite religious incomes and properties. In general, native monasticism adapted well to the Frankish

presence, perhaps because it impinged least upon the anxieties of the Westerners for the recognition of their dominant status.

We will end with a survey of all the Melkite monasteries known to have been active during the First Latin Kingdom. A survey of new Latin religious establishments isn't necessary, as almost all of them were begun ex novo. We will group the houses identified in the survey according to type, to ascertain the Latin impact on each group. We will also show how important the monasteries were for the vitality and continuity of the episcopacy and communal authority in general.

1. The Importance of Monasteries in the Christian Community

The principal property-holders within the Palestinian Christian community -- as among Byzantine Christians -- were the monasteries. Due to their spiritual priorities and to their social-service functions, monasteries required considerable endowments to operate. In addition, bishops for the Melkites, as for the Jacobites and Armenians, were drawn largely from the ranks of monks. This was more true among dhimmi Melkites than Byzantine Orthodox; for the latter's secular clergy had the benefit of state support and patronage, which was absent in Islamic lands.

A flourishing native monasticism allows us to infer the likelihood of endowments and incomes to support them; and the likelihood of a resident episcopacy, able to function in Crusader territory even if partly isolated from Greek Orthodox in Byzantium or in Arab lands.

Therefore the survival of monks and monasteries in the Latin Kingdom supplies the base for a modest episcopal establishment, and a source of other officials required to maintain the community's services, courts, etc.

A brief review of the history of Palestinian monasticism, especially among the Greeks, is in order here. We are particularly interested in the extensive contacts and influences at work in the monastic world, which linked Palestinian religious to confrères elsewhere in the Middle East, Cyprus, the Aegean islands, and Byzantium. This monastic network was an advantage to the Melkite bishops too, because of their monastic origins.

The Christian community in Palestine was partner with Egypt to the development of the cenobitic, monastic tradition in the 3rd and 4th centuries. The deserts of Thebes, Sinai, and Judea continued to attract monastic pupils from all over the Christian world, and to produce new spiritual masters, up to and after the Muslim invasions of the early 7th century. The various Lauras and hermitages of the Judean wilderness were a magnet greater than the shrines of Jerusalem, drawing not just Chalcedonian orthodox, but disciples also from the East and West Syriac traditions, from Ethiopia, Armenia, and the Latin West, eager to learn the harsh lessons of desert spirituality.[1]

After the Umayyid period (past AD 750), as the indigenous Christian populations of Palestine began to shrink due to conversions to Islam and the settlements of Muslim tribes, the backbone of the Church remained the monasteries.

Most of the monasteries drew upon fresh generations of novices from the outside, who were attracted to come by the traditions of the spiritual Fathers of the Desert, whose disciples retained their teachings in the monasteries founded or reformed by them. It was also the prevailing custom that a youth was encouraged to enter a monastery far from his home, as an element of exile was part of the monastic vocation.[2] Consequently, the monastic population of Palestine was homogenous only in belief, not nationality. Chalcedonian monasteries were not restricted to Greek-speaking members; Armenian, Georgian (Iberian), Syrian and even Latin Chalcedonian monks lived side by side in some of these houses.[3] Greek culture and language retained its antique dominance as a common bond among them.

The monastic ties of Palestine to the outside were especially heightened by the monastic reformers of the 10th-11th centuries in Byzantium, who founded some of their new monasteries on Aegean islands and Cyprus. The expansion of new and reformed religious houses came right after the restoration of the Byzantine navy's dominance over the area with the reconquest of Crete (960) and Cyprus (965).

Both the Judean wilderness and the Egyptian desert had nurtured early Christian monasticism, but only Palestine was readily accessible to the Greeks at this time. So the monastic reformers and their zealous disciples began making their apprenticeships in Palestine as well as at Mt. Athos and Mt. Olympus in Greece.

St. Christodoulos (ca. 1020-1093)[4] made a pilgrimage to Palestine around 1045 and visited the monastery of St. John Prodromos (the Baptist, the Forerunner) along the Jordan River; but the area was too hazarded by bedouin to permit him to set up his own convent, so he left. He later (ca. 1073-79) founded on Patmos the famous monastery of St. John the Theologian, which provided Jerusalem with one of its famous 12th century Patriarchs, Leontios.

Another reformer, Neophyte of Cyprus (died ca. 1215) while still a lad, left his monastery at Couzzouventi to visit the Holy Land (ca. 1157-58) before becoming a hermit on Paphos. Also, some pupils of the famous monastic reformed Nikon of Black Mountain near Antioch (ca. 1025-ca. 1091) settled in monasteries near Jerusalem, where Nikon had once visited.[5]

Other prominent new monasteries of the reform movement were Nĕa Monè on Chios, St. John Chrysostom on Cyprus, and Theotokos on Kos,[6] all of whom began to send their members to Palestine as hermits or bishops, thus creating close ties with the old monasteries of the East.

The ranks of bishops, metropolitans, and patriarchs were filled by monks during these centuries, as we've explained. For this reason, monasteries were not found just in the countryside but also grew up in episcopal cities. Monks become bishops did not cease to maintain their cenobite ways, especially in the poor and sparsely-populated (by Christians) regions beyond the borders of East Rome. Prominent desert monasteries maintained residences in nearby large cities, as

they do today. The fact that a monastery is in a city does not detract from its spiritual prominence; famous saints and theologians lived in urban monasteries in such cities as Constantinople and Thessalonika.[7]

These kinds of small urban convents are important for gauging the continuity of ecclesiastical institutions, because the episcopal and monastic structures were linked canonically and practically.

In medieval Palestine, where continuity is difficult to document, we can fill in some blank spaces by searching for signs of these links; e.g., if monasticism remains strong, so does the possibility for episcopal continuity. The Jacobites represent an extreme example of this, for their bishops were exclusively monks. On the other hand, if we detect episcopal continuity, this may be due in part to the presence of monastic houses.

2. The Frankish Impact on Chalcedonian Monasteries

To help us appreciate the extent of the Crusader impact upon the medieval monastic structure in Palestine, we will group them into three different types:[8] (a) the Wilderness monasteries, supported by the attraction of the desert and the Desert Fathers; (b) the Shrine monasteries, attached to Old and New Testament events and sites, especially in Jerusalem; (c) Episcopal monasteries, often small convents attached to the Cathedrals, as at Gaza, Caesarea, Sebastea, and probably Skythopolis.

The Jericho region shares in both (a) and (b), for it lies next to the Judean Wilderness, and is also near to the Jordan River hallowed by the activities of St. John the Baptist.

The arrival of the Crusaders did not effect great changes in these spiritual networks as such, nor even much to their economic bases. The Frankish community was largely lay and militant (or clerical and militant, with the knightly Orders), its clergy at first very secular (as distinguished from regular). Latin monasticism in Palestine did not grow to be as proportionately large as in many areas of Europe, nor did it produce any figures likely to attract distant disciples. Benedictines were placed in many shrines and cathedrals, and Cistercians came in only after 1200. For the rest, Augustinian and Praemonstratensian canons took charge of most of the major Latin churches and shrines.[9]

This kind of society competed with the existing Greek monasteries least in category (a), so of the monasteries active in the Wilderness before 1100, most remained active thorughout the 12th century. The heaviest competition was in type (b), for as the shrines themselves were Latinized, the non-Latin monks were often evicted or reduced. Happily, the Latins tended to take an interest in different shrines than the Greeks, as at Nazareth. In type (c), the hardhips of the previous 400 years had greatly diminished the number of such monastic houses, as well as reducing the number of Melkite

dioceses. We will presume that such urban convents survived especially in those cities which kept their Melkite bishops and did not immediately, if at all, receive a Latin bishop, such as Gaza and perhaps Tiberias and Eleutheropolis.

Of all the Melkite institutions in 11th century Palestine, the monasteries suffered the least change from the arrival of the Franks. No active Greek monasteries were taken over by Latins, with the possible exceptions of St. John the Baptist in Jerusalem, which came into the possession of the fledgling Hospitaller Order, and a monastery in Sebastea, for the Melkites there had to set about building themselves a new one. Almost all the Latin monasteries were built over ruins or on fresh sites and were not continuations of active native convents.[10]

If Greek monasteries continued to function in Latin territory, we might expect the same of Latin houses in Byzantine territory. A number of Roman Catholic convents were active at least in Constantinople; witness Emperor Manuel's legation to the West in 1163 which included the priors of two Latin houses in the capital.[11] Further, there is some evidence that a few Latin monks lived in Greek monasteries in Palestine, or were closely associated with them. Greek Melkite houses were, after all, not filled with only Greeks but included Georgians, Armenians, Syrians, and Latins. Language was the principal problem which required negotiation.[12]

While the Frankish occupation didn't require a take-over of the non-Latin monasteries, did it discourage and

inhibit the recruitment of new monks from abroad? How dependent were the Greek monasteries on outside recruitment? The Melkite religious houses in the Near East received many generations of recruits from outside the region, as they do today. The Palestinian celebrities who crowd the hagiographic and theological literature represent only the crust of monastic personnel, to be sure, but few of them were born in the Holy Land.

As evidence of the decline of outside recruitment in the 12th century, one modern historian has presented the worried account of the Cretan monk John Phocas. While visiting Palestine around 1185, Phocas comments that many of the monks he saw were old men. This in fact is not an accurate rendering of the visitor's statements.[13]

On the contrary, the Latin regime had no reason to inhibit this important lifeline to the outside. Surely access to Palestine after 1115 was easier for Christians from Europe, Asia Minor, and the Islands than had been the case during the previous 400 years. More ports were active and Christian fleets were usually in control, not at all discriminating against Byzantine or other non-Latin passengers.

So outside recruitment should have remained constant or better in the 12th century than in previous centuries; the saints' lives mentioned in the first Topic of this Chapter give every indication that this was the case.

3. The Latin Take-over of Melkite Church Property

Despite our assurances that the Franks altered little of the lives of the Melkite monks, the claim has been put forth that the Latin Church took over title to all the lands and incomes of the Melkite Church in occupied Palestine. As William of Tyre described it:[14]

> Assignatae sunt domino patriarchae [Daimbert] possessiones tam illae quasi a diebus Graecorum Graecis habuerat patriarcha.

The only way we have of verifying this claim is to ascertain the origin of the lands and incomes with which the new Latin establishment was endowed. Because of the popular and voluntary support which monasteries required, especially in non-Christian lands, monastic endowments are more common than diocesan ones. Therefore our study of church property will focus largely on monastic property.

William of Tyre writes only of the properties of the Greek Patriarchate, but even these were monastic inasmuch as the Melkite hierarchy responsible for the cathedral (the Resurrection Basilica) was as much canonical (in the Western sense) as monastic, and most of the income lands of the Melkite religious community was assigned to monasteries.

Discerning the extent of Latin acquisition of Melkite properties is complicated by the motives or justifications presented for it -- the Franks often justified their appropriations upon the Union of the Latin and Greek churches!

Professor Prawer's description of this transfer offers us the chance to clarify the problem we are posing:[15]

> The substitution of Latin clergy went hand in hand with stripping the Eastern churches of their possessions. Legitimacy was preserved to the letter, since this spoilation was not officially announced. The Latin clergy simply took over earlier Byzantine property.

By legitimacy, Prawer means that the takeover of Melkite properties was done under the guise of Latin claims to ecclesiastical continuity to the Greek Patriarchate.

We feel this is not a correct interpretation of the transfer of properties. One effect the Crusader conquest had upon the Greek Church was that any properties which the Franks took by force from the enemy and/or which were abandoned by their owners were considered Frankish property by right of conquest. Monasteries and eparchies whose abbots and bishops remained behind during the conquest, or returned soon thereafter, had a good chance of keeping their assets if they could substantiate their claims when challenged.[16]

We will show that most of the lands acquired by the Latin Church came <u>via</u> the Frankish civil powers who first confiscated them without benefit of ecclesiological arguments. Furthermore, those former Melkite incomes which were appropriated -- eventually by the Latin Church -- went to support establishments now run by the Latins. Those sites which remained in Melkite hands usually retained their lands and incomes.

Thus claims of Church Union, other than as political statements, cannot be supported by the Latin management of some Melkite properties. We shall explain what some of those

political motives were in Part Three. But first, there are three clarifications to be made about this process of the change of Melkite properties into Latin hands.

a. Practical Limitations of Latin Needs

Byzantine property was taken over where Latin clergy were substituted, and not in places where Latin clergy were not installed, but where the native Christians remained. This statement seems sensible and obvious, but the burden of proof has rested on the Greeks to show that they retained any of their lands and incomes. We wish to shift that burden back to the Latins, to prove that they acquired specific Melkite properties.

For the opening decades of the Latin Kingdom, the lists of church properties[17] are most complete for the Holy Sepulcher and for the Latin monastery on Mount Tabor. So we will look briefly at how these two establishments acquired their incomes.

In the Holy Sepulcher, or the Resurrection Basilica, the Patriarch's and the canons' mensa were kept distinct by the Latins. It is almost certain that the 21 casalia set aside as benefices for the 21 Latin canons represent prior Greek arrangements to provide incomes for the upkeep of the permanent personnel assigned to the cathedral, and these were taken over in toto by the Franks. The Latin Patriarch had to be more imaginative in seeking support, and naturally turned to the precedents of the Greeks as well. Hans Eberhard Mayer's analyses suggest that Patriarch Daimbert (1099-1102) based his

claims to certain incomes and jurisdictions (e.g., Jaffa!) on Greek precedents which were false. Daimbert probably knew this, but used the Greek-inheritance argument for what it was worth.[18]

The arguments for the Latin dispossession of the Melkites' incomes for the Holy Sepulcher are bolstered by claims that the Melkite monks and servants were driven out of the Basilica. In fact, the Greek clergy and those of the other sects retained or very quickly recovered some places inside the Resurrection Basilica.

Henri Musset has surveyed the different opinions pro and con; the greater wright rests with the reports that the Greeks and other non-Latin sects maintained service schedules and altars in the Holy Sepulcher during the 12th century.[19] The first years of occupation were certainly difficult, and witnessed some wholesale exclusions during the hasty tenures of Patriarchs Arnulf and Daimbert. But thereafter the Latins did not maintain exclusivity in any site which had actively been non-Latin up to the conquest.

Even the evidence that Arnulf evicted the Greek canons is dubious, not least because it is doubtful that there were any Greek canons or a Confraternity of the Hagiotaphos in the 11th-12th centuries (see Chapter Eight, Topic 3, p. 215). A monastic community was present, but not canons with their own incomes and property rights in the church. Second, the evidence of some evictions under Arnulf or Daimbert in 1099/

1100 may refer to Arnulf's eviction of the irregular Latin canons in 1112-13, when he introduced the Rule of St. Augustine into the chapter, as also in the Temple.[20]

What is not in doubt is that the income-properties of the Basilica were indeed taken over by the Latins, but there is no ecclesiological motive for this. As the Latin Patriarch succeeded to the jurisdiction of the Greek, he also succeeded to the Patriarch's properties for his quarter of the city, for the upkeep of the cathedral (which was the Resurrection Basilica),[21] and for the maintenance of his electors, the Latin canons.

If the Greeks no longer had their former incomes to support them, their expenses were surely smaller, as the upkeep of the cathedral was the Latins responsibility, on whom devolved the office and properties of the Patriarchate. Private donations continued to arrive for the support of the Greek monks in the Holy Land, including those assigned for service in the Sepulcher.

The Greek monastery on Mount Tabor seems to have been vacated before the arrival of Tancred in 1099, and perhaps had been so for a few years. When it was re-activated in the 1150s the monks rebuilt on their old site, for the Latin church and monastery were not, it seems, built on the earlier Greek site.[22]

When Abbot Girald received his initial endowments from Tancred in 1099/1100, they consisted of those properties which had formerly supported the Greek monastery. We assume this because the property lists include <u>casalia</u> located across the

Jordan River and in Saracen territory, reflecting holdings which dated from before the Crusades. But Girald was claiming much broader jurisdiction as the metropolitan of all Galilee. When Nazareth finally acquired that title a few years later, some of Tabor's incomes were made over to the bishop of Nazareth, presumably because they'd belonged to the eparchy of Skythopolis, of which the Latin diocese of Nazareth was heir. Thus, Girald may at first have been endowed with some incomes of the former Greek eparchy of Skythopolis, to which he was also temporarily an heir, and not just those of the Greek monastery of Tabor. The eparchy of Skythopolis had been vacant for some time before the conquest however, which casts some doubts that its properties could still be identified at such a later date.

In neither of these instances can we detect an instance of property claims transferred from Greek to Latin ownership justified by the ecclesial substitution of the Latin Church for the Greek Church, though the fate of the Holy Sepulcher is certainly tied in some measure to those claims.

Rather, the Basilica and the Tabor monastery examples indicate only the use of the incomes of former Melkite establishments to support the specific Latin ones erected (physcally or organizationally) over them.

b. <u>The Primacy of Civilian Expropriations</u>

It was <u>not</u> the Latin <u>clergy</u> who took over Melkite property, but the <u>civilian</u> elements of the Frankish host, the

king, nobility, and knights. If the churches and monasteries acquired any Melkite incomes, these were assigned to them by their secular lords. Only four spiritual hierarchs became feudal tenants, the Patriarch of Jerusalem, the Bishop of Lydda/Ramleh, the Bishop of Nazareth, and the Bishop of Bethlehem; so only these would have been in a position to seize lands directly. The other Latin ecclesiastical units didn't control enough land to be responsible for providing services to the State.[23] These four lords spiritual themselves obtained most of their land by grant from the king or one of the major barons.

In fact, the newly-established Latin church in the Kingdom of Jerusalem, as in Lusignan Cyprus and Frankish Constantinople, had to scrounge for income like any petty baron, for the lay leaders were unreliable in their concern to provide the Church with income property.

The Latin religious houses in Palestine were satisfactorily endowed with lands and incomes not only in Palestine but also in Europe. The few Latin bishops in the Holy Land were not so well taken care of; hence the squabbles with their chapters who, as in Bethlehem, Jerusalem, and Nazareth, were much better off than the bishops. And hence the concern of the Latin Patriarch in Jerusalem to insist on his full share of the incomes from the Patriarchal Quarter in the city. In other words, the motive which urged the Latin Patriarch, his suffragans, and the Papacy to insist on receiving all the properties of the Greek Church was to insure that the Church

was alloted a good share of the spoils of conquest and regular tithes.

This was serious business. Pope Innocent III spent nearly five years persuading the barons and Latin Emperors of the East to make a satisfactory assignment of tithes for the Latin Church out of their conquered lands, and even after the agreement of 1209 the terms were not fully carried out.[24]

The situation in Lusignan Cyprus was similar. Runciman simply states that "While the Greek bishops were not immediately expelled, they lost their tithes and much of their lands to the new Latin incumbants."

Joseph Gill is more precise: "One of the Church's claims leading to the agreement of 1221 was that all the properties which had once belonged to the Greek Church now belonged to the Latin, but the barons balked at this, and the Papacy had difficulty extracting tithes from them."[25]

The Church's claims to the tithes and properties of the Greeks was never carried out wholesale, not in Palestine, Antioch, Cyprus, the Latin Empire or the Aegean Islands. In each instance the holding was negotiated, and the negotiators were the Latin clergy and the Frankish lords, not the Greek clergy.[26]

To summarize, the claim of the Roman Church to inherit the status and holdings of the Greek Church was an argument born of the conflict between the ecclesiastic and lay lords in the newly conquered areas, and not part of the formulae of submission given by the remaining Melkite hierarchs to the Latin Church.

c. Non-Discrimination of Expropriations

The case of the Jacobite property dispute (see note 16, this Chapter) indicates that the Frankish military caste took over any unclaimed lands, not just Melkite. The more extensive Greek holdings were of interest to the likes of Daimbert and Girald not merely because the Roman Church had theoretically absorbed the Melkites, but because it was Greek sites on which they happened to be erecting their Latin establishments. The appropriations came first, and the justifications later.

The Jacobites and Armenians, and perhaps the Copts too, were in a better position to insist on their rights because they had local representatives -- their bishops and even their visiting Patriarchs -- who were in good standing with the Franks. The Melkites had none, due to the Latin usurpation of their Patriarchate, a policy whose origins will be explained later (Chapter 12).

If property seizures were to have any ecclesiological significance, we should expect all Melkite properties in Palestine -- and in Western Europe -- to be assigned to the Roman Church; some to be allocated to Latin establishments and others given back to the Greek institutions which were allowed to continue to function. This was not done, and there is no evidence of property in Palestine being taken from active Melkite establishments.[27] It is possible, however, that the incomes which Melkite monasteries enjoyed in Western Europe were taken over by the Latins, even if the Greek monastery in Palestine was left alone.[28]

Furthermore, no Melkite institution in the Holy Land received confirmation of its properties from the Roman Church, only from the civil authorities. Thus the Melkites were not singled out from the other sects for special consideration. This is true of the period of the First Latin Kingdom (1099-1187); but during the Latin Kingdom of Acre (1192-1291) some such instances appear, especially Pope Honorius III's bull of 1218 confirming the holdings of the Melkite monastery at Mt. Sinae.[29]

This pattern of papal confirmation of non-Latin properties began with the churches which had formally submitted to Rome in southern Italy and later in Latin Constantinople. No such formal submissions were made or asked for during the 12th century in Palestine. Judging from the clear patterns set in the 13th century for Rome's dealings with the Greek, Armenian and Maronite communions (see Chapter Eleven), we know what to look for in the 12th century in Syria/Palestine, and we do not find any evidence of church unions, dogmatic submissions, and property confirmations such as are evident in the following century elsewhere in the Latin East.

* * * * *

The Latin Church cannot be blamed if she took little effort to restore income properties to Melkite churches and monasteries which had only recently been abandoned in the 1090s, even where there were monks and bishops willing to return. The rights of conquest and the perogatives of the ruling Church were not easily set aside.

Our purpose has not been to dissect the inner workings of the acquisition of property by the Roman Church at the expense of the Melkites. Rather, we were curious to see if the Latin-Greek Church Union was used to justify expropriations in any way, and if this polemic had any substance behind it. We have found that the claims of Union were presented to justify the acquisition of Melkite ecclesiastical incomes, but that this was not consistent or sincere. The lands and incomes were taken first, for one set of reasons. The justifications which followed were not used to assuage the Melkites or persuade them of their integration into the Latin communion. On the contrary, the Union arguments were directed by the Roman Church at her own sons, the kings and barons of the Crusader Kingdom, and so tell us nothing directly about the status of the Melkites.

4. A Survey of Melkite Monasteries Active in 12th Century Palestine

If we have been successful in showing the limited Frankish impact upon the Melkite monastic institutions, it will be no surprise that the number of Melkite monasteries which remained active under the Frankish occupation was hardly diminished from the century before, and may have increased.

We are now able to appreciate the significance of the list of Melkite monasteries presented in Appendix III. Refering to that Appendix, we can point out that of the approximately 140 Chalcedonian religious houses flourishing in 5th-6th

century Palestine, only 30 or so survived into the 9th century, and some of these disappeared by the 11th century.

But at that time there is a slight revival coinciding with the monastic reform movement in Byzantium. During the 11th century and thereafter we find new and wealthy monasteries being built or rebuilt in the Holy Land: St. Michael the Archangel and St. Eustachios near Jericho; the Metochia inside Jerusalem, for the Jacobites and the Melkites;[30] and the new convents built in Samaria and Galilee of the semi-urban type (c).

The Crusaders took over or rebuilt Greek houses almost exclusively in the Jerusalem area and these had been largely abandoned decades before 1100, except for St. John Baptist in Jerusalem which was active until the Greek Patriarch's withdrawal around 1095-96.

Fr. Laurent has identified a half-dozen seals on manuscripts produced from Greek monasteries in Palestine during the 11th-12th centuries, so their scriptoria were evidently busy.[31]

The usual list of active Melkite religious houses in the 12th century is that found in Papadopoulos' History of the Church of Jerusalem (p. 387 in 1910 ed. or p. 424 in 1970 ed.). That list identifies fourteen monasteries. We have added the Kathisma site near Bethlehem, probably a convent on Mt. Zion, the Theotokos monastery in Gethsemani, and convents in Haifa and Gaza. How many non-Latin monasteries were in operation during the period of the First Latin Kingdom (1099-1187-1244)? A total of nineteen to twenty-three:

Jerusalem region: the convent of the Spoudaioi near the Resurrection Basilica (No. 1), the Metochion of Mar Saba's, called after St. Michael the Archangel, near the Citadel in Jerusalem (No. 6), the Methchion of the Sinai monastery (No. 9), Maria Theotokos in Gethsemani (No. 15), and Holy Cross, west of the city (No. 17) -- all Chalcedonian (Melkite). The Magdalen convent (No. 5) was Jacobite and they possessed other churches and convents in the region, as did the Nestorians, Copts, and Ethiopians.

Jericho region: The Prodromos monastery (No. 1), St. John Chrysostom (No. 2), Kalamon (No. 4), St. Michael the Archangel (No. 7), and Choziba (No. 8) and possibly St. Eustachios (No. 9) were Melkite. The Syrian Jacobites and Nestorians probably still had convents in the region.

Judean Wilderness: Mar Elias (No. 1), Kathisma (No. 2), the Old Laura of St. Chariton (No. 3), Mar Saba (No. 4) and St. Euthymios (No. 5) were Melkite; the Jacobites and Georgians[32] probably also had a monastery apiece in this popular region.

Samaria and Galilee: St. John the Baptist in Samaria (No. 3), maybe the monastery in Tiberies (No. 5) and on Mt. Tabor (No. 7), perhaps one near Nazareth (No. 10) and St. Margaret's at Haifa (No. 11) were active Melkite houses in the 12-13th centuries.

Judea and the Negev: The cells at Latrun (No. 1) and the famous pilgrim shrine in the Sinae peninsula (No. 5) and maybe a Georgian monastery at Beit-Jibrin (No. 3) were all active Melkite houses.

Our list is not comprehensive either; a thorough culling of manuscript colophons and inscriptions would turn up other smaller houses; but we have surely identified the most influential ones.

5. The Abbot of the Laura of Mar Saba

The Russian abbot Daniel visited the Holy Land in 1106-07 and left us a description of the Easter services in Jerusalem, in which the hegoumen (abbot) of the Greek monastery of Mar Saba figures prominently. That text tells us something about the absence of Melkite bishops from Palestine in the first years of the Crusader occupation, and the ability of the Melkites to devise new leaders for themselves.

We know that the Greek Patriarchs did not reside in Latin Palestine for very long, and we can identify only a handful of bishops who remained behind or later entered the province. But the Melkite monasteries maintained themselves throughout the period of Frankish occupation, as we have just described. These Greek monasteries represented the continuing presence of the pre-Crusader Chalcedonian Church in the Holy Land; there was no other stable community structure apart from them.

The Laura of Mar Saba, the Grand Laura, was the largest monastery and the oldest continuously inhabited one, and seems to have been headed by an unbroken line of abbots during the 12th century.[33] Kalamon, St. Euthymios, and St. Theodosios the Koinobiarch also dated from the 5th century, but their monastic life had been frequently interrupted and they were smaller.

Are we surprised, then, to find Greek historians concluding that "the hegoumen of Mar Saba acted like the representative of the Orthodox Church in Jerusalem and for the absent Greek Patriarch"?[34]

An analysis of Mar Saba's role in the Melkite community at large should consider Jerusalem-Constantinople relations, for good relations between the two Christian powers would render superfluous any exercise of extraordinary jurisdiction by the abbots of Mar Saba. We discuss Frankish-Byzantine relations in Chapter Twelve, Topic 3. In general they were cool under Emperor Alexis (1081-1118), but improved by the end of Emperor John's reign (1118-1143) and during that of his son Manuel (1143-1180).

Religion was subject to political considerations of course, but while Emperor Manuel insisted the Latins allow the Greek Patriarch Athanasius back on his throne in Antioch in 1165, he made no similar claims for Palestine, nor sent in any way bishops, as far as we know. There remained more subtle avenues by which he could display Byzantine interest for the more distant Greek Christians of the Holy Land -- their monasteries.

Floods, earthquakes, and the unrepaired decay of the previous centuries, had left many monasteries in Palestine in need of repair. The Cretan monk John Phokas lists the places which were refurbished during the late 1160s by the Emperor's largesse:[35] St. John the Baptist near Jericho, Kalamōn, St. John Chrysostom, Mar Elias near Bethlehem (rebuilt from ruins), Mar Sabas, and St. Euthymius. In addition, the interior of the Nativity Basilica in Bethlehem was decorated with costly mosaics, and other embellishments were made inside the Resurrection Basilica in Jerusalem.

How did the abbots of Mar Saba help to maintain the native Chalcedonian community before these Imperial benefits were effected?

Abbot Daniel describes the role played by the hegoumen of Mar Saba in the Holy Week ceremonies in Jerusalem, probably in 1107.[36] The abbot, the Latin Patriarch, and the Latin King were the principals, the former at the head of Greek monks from many monasteries who had come into the city. Such a picture may be enough to support Prof. Meinardus' conclusion that the "Hegoumen of the Grand Laura seems to have enjoyed one of the most important positions in the Byzantine Church in Jerusalem."[37]

But in what way was the abbot a representative of the Byzantine Church?

After the Roman armies evacuated Syria in 636-638 and Anatolia (between 1071 and 1176), Greek bishops often stayed behind with their flocks of believers and if the new regimes

allowed, they remained. These stranded bishops tried to keep in contact with Constantinople, their Patriarch and his synod, especially for disciplinary appeals, to participate in or send proxies to synods, and to arrange for successors.[38] Such bishops certainly represented their local communities to their temporal lords, and by extension they represented their Chalcedonian faith and its Patriarch. That they represented the East Roman Emperor was only an idea useful as an excuse for the Muslims to exile, imprison, or fine the bishops when political tensions were sharp. The Roman Emperors had used bishops as their agents from time to time, and this reputation stuck on any Chalcedonian bishop, inside or outside the Empire.

If in the absence of local bishops the hegoumen of Mar Saba inherited this label, it was without just cause. There were many more satisfactory means by which the Kings of Jerusalem could deal with Byzantium in civil, political, and religious issues. Representing the most significant extant element of the local Melkite community -- the monks, the Sabaite abbots were important in Latin eyes. To say however that the Latins recognized them as their Church's representatives is to suggest that the Latins viewed the Greek Church as somehow distinct from the Latin. This was surely true in the civil realm (see Chapters 10 and 15), but the abbots really had little to do with civil matters or with implementing community law among the laity.

The archon George, mentioned in a document from 1122, is an example of a civil representative of Byzantium (see

Chapter Eight, Topic 3), with duties quite distinct from the religious ones of the hegoumen of Mar Saba. In the ecclesiastical sphere, the abbots of Mar Saba may well have unofficially headed up the local native Chalcedonians and mediated Frankish policies to them. The classic pieces of evidence for such responsibility are the Holy Fire incident of Easter 1101, Daniel's visit in 1106-07, and the Typikon of 1122. The abbot is practically the only Melkite hierarch mentioned in them, but nothing is hinted about his duties, only that he was the ranking Melkite hierarch at the time.

In summary, we can grant that the hegoumen of Mar Saba was the most prominant representative of the Melkites from around 1105 to the 1130s. But his ability to maintain such a role was due more to the fact that the Latins considered him of <u>little</u> importance rather than great. After 1130, there were enough Melkite bishops along the fringes of Latin territory, and adequate diplomatic channels between the Franks and Byzantium, to relieve the abbots of Mar Saba of any ecclesial or civil responsibilities over other than their natural wards, the monks.

* * * * *

The monasteries have at last brought us close to the normal condition of the Melkites, after the discouraging accounts of their Patriarchs and bishops. Our fresh survey of the sources has provided a longer list of native monasteries active in 12th century Palestine than previously realized, many of them newly established during the Frankish occupation.

This shows that the Latins did not manage (nor attempt) to discourage the monastic vocation among their subject Christians, nor prevent the entry of monks from abroad, nor deprive the native monasteries of their income lands and donations.

We may now look beyond this barometer of Melkite well-being to the lay sectors of the community. We are compelled to do so, moreover, by one critical task, to identify the interim leaders of the community, given the limited number of bishops and the limited authority of abbots.

1. Otto F. A. Meinardus "The Nestorians in Egypt and Jerusalem" (Oriens. Christianus 51, 1967) 112-129; Otto F. A. Meinardus The Copts in Jerusalem (Cairo, 1960); J. -M. Fiey "Les pelèrinages des Nestoriens et Jacobites à Jérusalem" (Cah. Civil. Medit. 12, 1969) 113-126. Otto F. A. Meinardus "The Ethiopians in Jerusalem" (Zeit.f.Kirchengesch, 76, 1965) 112-147.

2. The Vita of St. Macarius (+ 1012) provides one of many clear examples of this attitude: to describe why Macarius and his companions decided not to return to home in Armenia after visiting Palestine, the biographer writes -- "patriam enim et parentes fugiens, Christum imitando", in Acta SS. Aprili, I, p. 872 (Vita Altera, under April 10). See also D. Savramis Zur Sociologie des byz. Mönchtums (Leiden, Brill 1964) pp. 59-60.

3. Albert Ehrhard "Das griechische Kloster Mar-Saba in Palästina; seine Geschichte und seine literarischen Denkmäler" (Rom. Quart. 7, 1893) p. 58. See note 12 ahead).

4. The literature on Christodoulos is immense; for references, we cite only H. -G. Beck Kirche u.theolog. Literatur (1959) p. 646-7; K. Krumbacher Gesch. der byzant. Literature (1897) p. 196 [No. 88]; Janin (art) in DHGE, vol. XII, pp. 776-777; Halkin Bibl. Hagiog. Graeca (1957) pp. 107-108 [Nos. 303-308]; and Era L. Branouse Ta Hagiologika Keimena tou Hosiou Christodoulou (Athens 1966).

Most of the Imperial documents concerning his monastery, St. John the Theologian, on Patmos, fill up vol. VI (1890) of F. Miklosich and J. Müller Acta et Diplomata Graeca (Vienna, 1810-90, and Athens, 1968). Also F. Dölger "Die Kaiserurkunden des Johannes-Theologosklosters auf Patmos" (BZ 1928) 330-372.

5. On Neophytus the recluse of Egkleistras (1134-1215) see L. Petit "Vie et Ouvrages" and H. Delehaye "Saints de Chypre" pp. 274-297. For Nikon, see Doens, and Nikon's Letter #36, in Beneševic, p. 586 ff.

6. On Chrysostom monastery on Cyprus, see the article by M.K. "He Monè tou Hagiou Chrysostomou en Kypro" (Nea Sion 45, 1950) 227-232, and A.I. Dikigoropoulos "The Church of Cyprus during the period of the Arab wars, AD 649-965" (Grk Ortho. Theol. Rev. 11, 1965/66) p. 275.

Other reform monasteries include the new Theotokos house on Lembos, on which see Miklosich & Müller, op. cit. vol. IV (1871) pp. 1-289, and Dölger Regesten vol. III, Nos. 1710, 1713-1749, etc. (all from the 13th century); also the monasteries Nea Sion and Egkleistra on Paphos, founded by Neophyte the Reclus, in the 1150s-1170s. All these had various links to Palestinian monasteries. For other monastic visitors to Palestine, see Chapter Four, n. 26.

7. Papachryssanthou, "La vie monastique" (Byzantion, 43, 1973), pp. 179-180. M. Amari Storia v. II, p. 463ff (1935 ed.; = pp. 403 ff. in 1858 ed.); G. Dagron "Le Christianisme dans la ville byzantine" (Dumbarton Oaks Papers 1977), p. 19-22.

8. Denise Papachryssanthou "La vie monastique dans les campagnes byzantines" (Byzantion 43, 1973) 158-180.

Despite our comments in the text above (at note 7), we cannot apply this urban/rural model consistently across the Christian East. Religious houses in the major capitals, Constantinople and Thessalonika, are of one breed, and those in the provinces are of another. Outside the capitals, all monasteries are basically regional, where concerns of small cities and villages were not essentially different, and where the oversight of the local bishop was about equal over both regional sub-types. Thus, Samaria and its monasteries afford less contrast to those in the wilderness than monasteries in Constantinople to those in Samaria. See "Pre-Iconoclastic Monasteries" by Dorothy Abrahamse, presented at the 4th Byzantine STudies Conference (Ann Arbor, Nov., 1978).

9. Hotzelt "Kirchliche Organisation" (1940) pp. 58-62.

10. B. Hamilton "Holy Places of Jerusalem" in Renaissance and Renewal (Oxford 1977).

11. F. Chalandon Les Comnène vol. II:2, p. 560, and R. Janin "Les sanctuaires" (REB 2.1944) 134-184. On the presence of a Latin-Rite monastery on Mt. Athos, see G. Hofman Athos e Roma (Rome, Pontif. Inst. Orient. Studi 1925; reprint 1966) and F. W. Hasluck Athos and its Monasteries (London 1924).

12. W. Djobadze Materials for the Study of Georgian Monasteries in...Antioch (Louvain 1976) has references to Georgians/Iberians living in Greek monasteries, pp. 70, 86-87. He also comments that the Latins took over many Greek monasteries in Antioch, pp. 92-94. Claude Cahen cites examples of Latin monks alongside Greeks in the same houses, La Syrie du Nord (Paris 1940) 334. E. Kurtz has printed the Greek text of the Typikon of Mar Saba, which includes a paragraph on how Georgians, Syrians (and Franks) are to liturgize in the monastery together (BZ 3, 1894) p. 169. Yet see the caution from George Every, in Chapter Ten, note 18.

This matter of multi-national monasteries bears heavily upon our description of the Christian communities in 12th century Palestine, but it is too complex a topic, requiring quite different sources of research, to do more than hint at the authors above, and to refer to the interesting comments collected by Father V. deBuck in Acta SS Bolland., Octob. vol. XI, sub. 25 Oct., "De S. Nico, Conf. non Pont., in monasterio graeco S. Pauli di Foresta....", page 705 in particular.

The superficiality of the Latin-Greek ecclesial union in 12th century Palestine does not mean that Latin-Greek relations as such were always superficial. On the contrary, Latin and Greek clerics, monks, ascetics, and charities often developed quite intimate links. We allude only to a few small notices which provide glimpses of these private relations: The Vita of St. Angelus (a somewhat ahistorical character, a Sicilian and one of the early members of the Carmelite Order, transferred in hagiography to Palestine), describes a Jerusalem either of the 1180s or the 1200s, in which devout Latin and Greek families have intermarried, utilize each others' monasteries and institutions, and attend each others' churches and services: Acta SS Bolland. Mai, vol. II, pp. *20-*57; the earliest of the Vitae given there is from the late 13th century.

The famous charter from 1173, signed by the Greek Melkite bishop of Gaza, Meletios, concerns his links with the Hospitaller Order over a small monastery in Bersheva: the act allows bishop Meletios to use the building in Bersheva until his death, when it reverts to the Hospitallers; Röhricht RRH, No. 502.

A later document, from the Second Kingdom period, concerns an Armenian hospital which shares its facilities with a hospital run by the Teutonic Order of Knights; Tabulae Ordinis Theutonici, (ed) Strehlke (1869) No. 27, from AD 1192, in Acre.

Along the same lines are incidents depicted in two articles by Claude Cahen; "Un document concernant les Melkites et les Latins d'Antioche au temps de Croisades" (Rev. Et. Byz. 29, 1971) 285-292, and "Indigènes et croisés; quelques mots à propos d'un médecin d'Amaury et de Saladin" (Syria 15, 1934) 341-360.

13. Papadopoulos Hist. Ekkl. Hier. p. 399 (1910 ed.), though, in fact, Phocas says nothing of the kind; he does mention two old monks doing most of the ritual work in a hermitage near Prodromos monastery, and at Kalamon monastery (paragraph 23), and some old monks elsewhere, but their age is not unusual for hermits (see paragraphs 19, 24).

14. William of Tyre Hist. Rerum in partibus Transmarinis Gestorum, IX, xv.

15. Joshua Prawer The Latin Kingdom of Jerusalem (London 1972) p. 221.

16. The classic case involves the property restored to the Jacobite bishop of Jerusalem, Ignatius (ca. 1110-1125). His predecessor, Cyril, had fled to Egypt just before the Crusader arrival. See Martin in (Jour. Asiatique ser. 8. t. 12, 1888) 471-490, and (JA. ser. 8, t. 13, 1889) 33-79, and Nau, in (JA. ser. 9. t, 14, 1899) 421-431.

17. Restricting ourselves to Röhricht Regesta Regni Hierosolymitani (Innsbruck, Wagner 1893) and Additamentum (1904), the basic documents are:

No. 36, anno 1101. Prince Tancred's grant to abbot Girard of Mt. Tabor (5-6)

No. 39, anno 1103. Pope Pascal II's confirmations to (now) Archbishop Girald of Mt. Tabor & Galilee, re-confirmed by Pope Eugene III in 1146 (6-7)

No. 51, anno 1107. King Baldwin's grant to Mt. Tabor (p. 10)

No. 74, anno 1114. King Baldwin's confirmation of the property grant to the Holy Sepulcher, originally made by Prince Godfrey (16-17)

No. 75, anno 1114. Patriarch Arnulf's reassignment of incomes between the Patriarchal and canonical mensa, following upon the imposition of the Rule of St. Augustine on the canons (17)

No. 309, anno 1156. King Baldwin III reconfirms all earlier privileges to the Holy Sepulcher.

Analyses of these grants, and others, is provided by Röhricht in "Studien zur mittelalterlichen Geographie u. Topographie Syriens" (ZDPV 10, 1887) 195-345, esp. pp. 198-211, & 230-235; S. Mittmann Beiträge zur Siedlungs-u. Territorialgeschichte des nördlichen Ostjordanlandes (Wiesbaden, 1970) section "Zur Territorialgeschichte der Kreuzfahrerzeit" 246-255; and the opening pages of Mayer's Bistümer, esp. pp. 1-25.

William of Tyre suggests that Tancred was a bit ruthless in acquiring lands to endow the Latin establishments at Nazareth, Tabor, and Tiberias, IX:xiii.

18. Bistümer (1977) 5-6, 13-15, 24. Mayer also suggests that when the Latin diocese of Bethlehem was established, most of the foreign properties long assigned for the upkeep of the Nativity shrine were assigned to the mensa canonicalis, and only 5 local casalia to the mensa episcopalis, op. cit. 65-66. After all, Bethlehem had never been a diocese before, even in Roman/Byzantine times, so it had to be endowed from "scratch".

19. Musset Hist. du Christianisme, vol. I, 434-7; A. Couret "L'Ordre du Saint Sépulcre de Jérusalem" (Orleans. Herluison, 1887), p. 3.

Among the seals of the Holy Sepulcher are some from the corporation of the Greek clergy, including some from the 10th-11th century, and Laurent suggests that one is from the 12th century, No. 1568, titled "The clerics of Holy Zion and of the Holy Tomb", in CSEB, p. 400.

20. The debate on the erection of the Latin canons is explained in Anton Odeh Issah Les minoités chrétiennes de Palestine à travers les siècles (Rome, 1975 & Jerusalem, 1976)

p. 157-8. See also Musset I, 436-7; and G. Fedalto La Chiesa Latina I, 90-91; and Papadopoulos Hist. Ekkl. Hier. p. 383 all which scrutinize the account in Albert Aquensis, VI:40.

H.E. Mayer points out that "Raymond d'Aguilers beschuldigt Arnulf, er habe ≪clericos, qui habebant altaria in ecclesia Domini Sepulchri≫ ihrer Benefizien beraubt, womit er gewiss nicht die gerade erst installierten Lateiner meinte", Bistümer, p. 3, n. 10.

21. Anton Baumstark "Die Heiligtümer des byzantinischen Jerusalem" (Or. Chr. 1905), 246-7. He also speaks of the role of the Greek convent of the Spoudaioi monks, which was located by him to the west and adjoining the Tomb Rotunda of the Anastasis (pp. 243-5). On Daimbert's fiscal motives for acquiring Greek properties, see H. E. Mayer "Latins, Muslims, and Greeks", (History, 1978), p. 188-189.

22. Battista & Bagatti La Fortrezza saracena del Monte Tabor (Jerusalem 1976) pp. 13-17; this is the only archaeological study done on the mount for the medieval period, and it infers that the present disposition of sites -- Latin on the east, Greek to the north -- is that of the 12th-13th centuries too. Independent of Bagatti, Rudolf Hiestand presents the prior researches to the same conclusion "Kaiser Konrad III" (Deutsches Archiv 35, 1979) topic 3, pp. 98-113.

23. RHC: Lois, I (Assises de la Haute Cour) pp. 422-427 lists the spiritual lords and their military obligations. Brief analyses of the same in Hotzelt "Kirchliche Organisation" (1940) p. 61-63, and Mayer Bistümer (1977) 9, 70.

24. W. Norden Das Papsttum und Byzann (Berlin 1903) 240; Prawer notes that a domain by domain study is needed to make his limited (to Tyre) discovery universal, that the Latin Church owned less than 20% of the land in the region, much less than in Europe; "Étude sur quelques problemes d'une seigneurie croisée" (Byz. 22, 1952) 19-24.

25. Runciman, History, vol. III, p. 86; Gill "Tribulations" (Byz. Forsch. 5, 1977) p. 74-78. See references to Mas Latrie and others in Chapter Nine, note 37.

26. Hill History of Cyprus, (Cambridge, 1948) vol. II, p. 46, note 5.

27. Not even Cahen's case of the Holy Sepulcher chapter claiming property in Antioch, based on its prior ownership by the Greek Patriarch, for we'd expect the Cathedral chapter to do this; but the cathedral household doesn't represent the entire Latin Church in the Holy Land; Cahen, La Syrie du Nord, p. 333, n. 13. See the relevent documents in Röhricht RRH, No. 157, 195.

28. Mayer, Bistümer (1977) p. 8, where he also comments on the cash revenues(opposed to property incomes) of the Greek Resurrection Basilica; and his aside about the former incomes, in Byzantine times, of the church in Bethany (p. 374). Riant has gathered further references to properties belonging to the Greek Church of Jerusalem, in France and Italy, in "Inventoire critique" (1881) Nos. 4-10 (pp. 26-31). Wilhelm Hotzelt has data on Jerusalem property in Germany, "Die Chorherren von Hl. Grabe in Jerusalem" (Das Heilige Land in Vergangenheit u. Gegenwart Hefte 24-27) [= Palastinahefte der Deut. Vereins vom Hl. Lande (Köln) 1940] pp. 107-136 (esp. the first 7 pages); but there is no documentation to show an identification of property in Greek hands in the 11th century, which was then in Latin hands in the 12th century.

29. Röhricht "Studien...Geogr. u. Topogr. Syriens" (ZDPV. 10, 1887) pp. 237-239. The Jacobite Patriarchs were confirmed in their jurisdictions, and property, by Kings Amalric I and Baldwin IV, but not by the Latin Church; Prawer Latin Kingdom, p. 229.

30. On the Melkite monastic hospices for Mar Saba and Mt. Sinai, see the charts; for the Jacobite xenodochion or hostel near St. Stephen's gate (= present Damascus Gate), see the account of Theoderich (ca. AD 1172) in (London, PPTS 1896) edition, (tr) Aubrey Stewart, p. 43.

These metochia are not , properly speaking, monasteries, and not priories either. They are basically residences and guest houses for the convenience of the monks visiting or working in the city, away from the mother house. They are nonetheless important indicators of the monastic contribution to the vitality of the Melkite community. Because they were not true monasteries, they may have existed in Jerusalem for many centuries and yet not been noticed by the researches of Vailhé or Koikylides [see Appendix III].

31. V. Laurent CSEB vol. V:2, No. 1576 (Sinae), 1577-8 (Mar Saba), 1579 (Prodromos), 1580 (Chrysostom), 1581-2 (St. Euthymios (= pp. 407-413).

32. The site of the antique St. Euthymios monastery [#5 of the Judean Wilderness group], at Khan al-Ahmar, includes some medieval ruins of Armenian design; Norris (1950), in Appendix III.

33. J. Phokylidos Hè Hiera Laura Saba (Alexandria, 1927), p. 606, lists the abbots for the 11th-12th centuries, though he ignores the abbot Sabas mentioned in the story by Neophytos of Cyprus (1134-1215) which he excerpts on p. 491. The complete text is edited by Delahaye in (Anal. Bolland. 26, 1907) pp. 161-301. Abbot Sabas would be placed around AD 1160.

34. K. Meliaris Hoi Hagioi Topoi, vol. I (1928) p. 332 (= p. 40 in the version in Nea Sīōn 1926), the phrase is ὡς ἀντιπροσωπος And Chry. Papadopoulos Hist. Ekkl. Hier. (1910) p. 387, that the Latins recognized - αναγνωριζετο - him as the representative of the Orthodox Church of Jerusalem.

35. Phokas Desc. Terrae Sanctae, §14 (Anastasis), §22 (Prodromos), §24 (Chrysostom and Kalamōn), §27 (Mar Elias & Bethlehem); the repairs done to Mar Saba, §16, and to St. Theodosius, §17, and to St. Euthymius, §18, don't mention the Byzantine Emperor as patron. As in Migne, PG, t. 133, cols. 944-957.

36. §97, on the Holy Fire incidents, in Daniel's account, as in PPTS, vol. 4.

37. Otto F. A. Meinardus "Historical Notes on the Laura of Mar Saba" (East. Chur. Rev. 2, 1969) p. 397.

38. Steven Runciman The Great Church in Captivity (Cambridge 1968) p. 31-4, 77-80, and Speros Vryanos The Decline of Medieval Hellenism in Asia Minor (Berkeley, 1977) pp. 201-08, 307, 331-341.

CHAPTER EIGHT

The Civil Leadership of the Melkite Community

The non-ecclesial sector of the Melkite community has an immensely lower profile than the ecclesial, and there is an almost total absence of secular literature for this period. But it is important to lay out what we do know. The nature of the Frankish impact on the Melkites will be much clearer from looking into civil areas, which are fairly straightforward, than into the ambiguities of churchly relations.

Melkites as a civil community hardly appear in Western documents, for two reasons: (1) their virtual inclusion into the Latin religious structure and the related absence of their own Patriarch; and (2) the vigorous survival of the community's legal and social autonomy inherited from the Muslim era. Thus the Franks could afford to ignore the Melkites in their own legal and historical constitutions.

But the absence of the Melkite Patriarch and the reduction in the number of their bishops did restrict the range of Melkite leaders. This was a real problem because the higher clergy had traditionally filled or appointed many so-called civil functions.

Our investigation into civil matters starts with some rather basic questions: Aside from Patriarchs, bishops, and abbots, what other leaders did the Melkites have and what were their duties and origins? Then, did these lay leaders function alongside ecclesial leaders or as their deputies? Were

confessional identities and boundaries as important in the lay sector as in the religious? Finally, were the duties of the lay leaders altered by the absence of the usual religious cadres of the community?

Because of the paucity of data, we will first examine the general types of lay leaders among Levantine communities in general, especially of the various Christian sects. Lay leaders are called chiefs or rais

We also examine the lower-ranking church functionaries to see if they picked up the slack in responsibilities created by the absence of bishops. Such functionaries were the clerical archons who remained to watch over the property of the Melkite Church.

The exact responsibilities of these rais and archons is not clear, so we draw some analogies from better-documented communities. We discover that some civil tasks, especially that of kritès or judge, were often borne by clerics or monks.

Because of the relative isolation of the Melkites from Byzantium, we explore the possibility that some of the initiative to produce community leaders during the Frankish occupation came from the Syriac, non-Hellenic sector of the Melkite community.

1. Varieties of Rais and their Duties

The dhimmi communities under Islam, whatever their previous traditions, had to come to terms with the demands of Muslim law, which expected each dhimmi community to have and apply a law code over its adherents. The Jews were accustomed

to do so, but the Christians had to develop a civil code alongside their canonical traditions. Bishops were the usual arbiters of both civil and church laws, though civil cases often devolved upon lesser authorities, the bishops remaining as courts of appeal. Thus as far back as the 7th century, we find lay judges in the Christian community appointed by bishops.[1] This Christian civil code was not terribly extensive but covered the basic issues of baptisms, marriages and divorces, wills and testaments, adoption and guardianship, and a little bit of contract and property law, oaths, and ecclesiastical discipline (see Chapter Two). Subject communities did not, in theory, have the right to impose capital punishment on its members, for this was reserved to the State. This pattern of dhimmi law and leadership which we've detailed in Part One perdured under Frankish rule. Indeed, the establishment of the Crusader States had little effect upon the local Jewish and Christian communities' mode of implementing their communal laws except that, in the case of the Melkites, their bishops were largely absent for one reason or another.[2] Ecclesiastical discipline was therefore particularly affected, but to the extent that most of the clergy were monks, abbatial authority would suffice for clerical discipline.

In secular or civil law, the Latin Assises indicate that the non-Latin communities, called Suriens, wished to continue the use of their own laws, a request the new rulers could hardly refuse.[3] The normal adjudicators of these native laws were called Rais, and their court the Cour du Rais.

In this Chapter we discuss ru'asā' (pl. of rais) in general, not just Christian or Melkite ones. This is because the sources rarely identify a rais with a particular ethnic or religious community but merely with a city, village, or region. So we have to analyse them as a whole and will later attempt to determine their religious and sectarian affiliation.

The term "rais" covers a variety of officers, most of whom have little to do with the legal responsibilities we've just mentioned. Especially in the countryside, rais meant a village headman, responsible largely for tax and land assessments and perhaps the collection of taxes. Sheikh often designated the same role, which functioned in Muslim countries as well as in the Crusader states.[4]

Ru'asā' were also those responsible to the absent large landowners as overseers. Wakīl is the ordinary term for the owner's respresentative, who dealt in turn with a rais representing the cultivators, but the terminology is not at all precise.[5]

Ru'asā' were also the headmen of a craft or portion of the market or of a quarter of the city, though 'ālim is the more usual term for the head of a craft guild.[6]

Finally a rais could be the local official -- appointed from the outside or by the village or community itself -- responsible for keeping order and arbitrating simple justice.

For the cities, Claude Cahen has described the development of informal urban leaders or mayors known as rais. Their origin lay as leaders of groups of young people and the hors

de la loi of the 9th-10th centuries who gradually assumed greater responsibilities over the urban populations, neighborhood by neighborhood. Eventually these rais were selected from merchants and other prominent families and remained a normal feature of most Arab towns until alien military rule dominated Middle Eastern cities after the 13th century.[7]

The historians of Crusader society have abstracted from these a distinction between urban and rural rais,[8] which has some justification, for rural rais were involved with landlord-tenant issues and informal justice, while urban rais were concerned with formal law and market adjudication.

However in the larger Crusader cities there is some evidence that the Cour du Rais was often absorbed into the Cour de la Fonde because both operated principally in the market[9] (see Chapter Ten, Topic 6, and ahead in this Chapter at note 48).

In the Muslim context, these classes of non-Muslim ru'asa' are not too important to distinguish, for the ordinary responsible dhimmi agents of the law remained the Christian bishop and Patriarch and the Jewish nasi or najīd, like the qāḍīs and governors among the Muslims. It is only in the absence of these ordinary authorities that the various functions included under the rank "rais" become crucial to isolate.

The Jewish communities were initially dislocated and some eradicated by the Crusaders. The rabbinical Academy of Palestine had declined drastically after the 1070s and no

longer sat in Jerusalem but in various cities in the north.[10] But other Jews re-settled in the Latin Kingdom and carried on community life under their traditional leaders.

The Jacobites and Armenians and Maronites maintained their hierarchies, so we should expect no changes in their communal structure under Frankish rule. Only the Melkites and Muslims lost their higher cadres and had to depend on their lower ranks to maintain some semb[illegible]nce of community structure.

The Muslims were in a harder positi[illegible] for the rare loss of their ruling status meant the disappearance of nearly all their customary authorities, religious and civil. The Muslims living in Crusader territory were now placed on a par with their former Jewish and Christian subjects when they lost their ordinary legal officers. In the cities, Muslims no longer had qādīs for religious law or the shurta for maintaining public order, only informal rais. Sedentary villagers and nomadic bedouin were accustomed to simple justice, and kept their informal leaders for these needs, whom we can also call rais or sheikh.[11] Yet only one qādī is known to have functioned in Frankish territory,[12] even though Muslim populations were considerable in the countryside,[13] and under the Second Latin Kingdom (at Acre) they were again numerous in the coastal cities.

The Melkites were slightly better off because they retained most of their clergy and monks, the lower ranks of

their customary leaders. But they had lay leaders too, if we can only identify these Melkite rais.[14]

The courts provide the rais with his most visible stage, compared to rais as tax-assessor or rais as landowners or managers. So we now concentrate on the role of rais as a judge.

Riley-Smith correctly observed that the Latin tendency was to distinguish between temporal and spiritual jurisdictions, even in the Orient where such a distinction was rarely made in law.[15] Did this Western mentality affect the way the Crusaders treated their subjects?

For their non-Christian subjects, there was no cause -- beyond military security -- for the Franks to alter the civil-religious unity of law and leadership among the Jews and Muslims. The same held true for the native Christians. But the spectre of a Church Union between the Latins and the Melkites will lead us to look more carefully into their status, in Part Three.

In other words, did the Franks divide the responsibilities of their leaders of their native subjects? Or if they found them divided, did they favor the lay leaders over the religious? In the example of the Melkite courts, we can pose the question according to two views about the composition of the native courts during the 12th century. (The courts themselves are treated in Chapter Ten).

According to one view, the native courts which King Baldwin I recognized were identical with the pre-conquest

courts presided by Melkite bishops or by lay officers designated by them. In the absence of many of the bishops, these lay judges continued to function, though bereft of their traditional appointments.

Or, the Cours des Suriens of the Latin Assises were identical with just the purely civil courts of the Muslim era, a competency they continued to exercise into the Frankish period. In the absence of the higher clergy, these very informal civil courts assumed some of the jurisdiction of the lapsed ecclesiastical courts in personal status matters, though not for ecclesiastical discipline (on which see Chapter Seven, Topic 5).

Based on our description of the development of Melkite law, in Chapter Two, we doubt that there was a tradition of distinctly civil, lay courts among the Christian dhimmis. We also doubt that the Melkites were so denuded of their clergy that the cleric-staffed courts were disbanded in the 12th century. Therefore, the first view is more accurate.

A single level of community courts continued to adjudicate according to the Melkite code, which was itself a combination of religious and civil canons. Its officers -- lay or cleric -- were appointed ultimately by the Patriarch. Cases of ecclesiastical discipline between clerics were heard by hieromenoi (priests or deacons) also appointed by the Patriarch. The absence of the Melkite Patriarch did not threaten to dissolve these courts or invalidate their officers, for the

Melkite code remained intact as did the identity of the community. What may have changed during the 12th century was simply the relative balance of lay to clerical, or Syrian to Greek among the court officers, due to the Frankish policies towards the Melkite higher clergy. In any case, the president of the court was included among the class of rais by the Franks. The clerical rank of the rais/judge is explained in Topic 3b (below).

2. Survey of Rais and their Affiliations

Our next step is to identify any geographic and communal identities which individual rais may have borne. We have collected in Appendix Four a list of 37 ru'asa' dating from AD 1122 to 1255 and located from Antioch in the north to Jerusalem in the south, all operating in Crusader-held territory.

In this list are many Muslims and native Christians, and a few Pullani or Turcopole half-breeds.[16] We can identify 14 to 16 Christian ru'asā', 12 to 16 Muslim ru'asā', and five of undetermined affiliation. Most of the Muslim ru'asa' are rural, and many of the Christians are urban. Among the Christians, those with the most responsibilities would seem to be #3 Theodore, and #10 George, rais of Antioch. This should mean that they were civil leaders of the Greek community, the largest one in Antioch.[17]

Antioch's Greek community had been ruled directly by Byzantine authorities until a decade before falling into Crusader hands. So it is not unlikely that Antioch and other

cities on the coast with large Greek communities would retain vestiges of these Byzantine officers.[18] The rest of the rais on the list would seem to be either village headmen or estate managers.

The most significant fact about these rais cannot be derived from the list however. This is the fact that a native leader of a dhimmi (non-Muslim) community in Muslim lands functioned for his community alone, whether he was a layman or a cleric. Here we are talking about court rais, formal judges, though what we have to say is partly true or rural rais.

Community identity was customarily religious and confessional, a pattern encouraged by the 450 years of Muslim rule in the region. The strength of this pattern has not been as fully appreciated for the civil sector of the native societies as for the religious. It is important to make this clear, for this was the heritage the native Christians retained after coming under Crusader rule.

Prof. Hans E. Mayer confesses "that it is still not clear to me whether the rais represented also the Muslim population or only the Syro-Christian one, in other words, whether we have to distinguish between Syrian rais and Muslim rais as judicial officers."[19] For Mayer to imagine a single rais judging both Muslims and Christians is to think the unthinkable.[20]

Filhol earlier pointed out the unlikeliness of a rais having jurisdiction across sectarian boundaries,[21] and we can present reasons for this on two bases:

(1) Muslim and Christian (and Jewish populations) had

long lived under quite different laws, certainly as regards personal status. By the 11th century, Christians had not yet embraced Muslim customs in many legal questions -- the identification of witnesses, the nature of legal testimony, written contracts, etc.[22] -- as fully as they were to do later, first in Mesopotamia and later in Syria.

Admittedly, in the market place, the three religions shared many of the same procedures and customs, so that the likely absorption of the Cour du Rais by the Cour de la Fonde would create no insurmountable awkwardness. In the countryside, minor property disputes between Muslims and Christians could be settled on the basis of local custom, not religious law. But to the extent that Crusader rais were responsible for the implementation of written law, or at least law which had been compiled and published by the religious hierarchy in the past, a rais' jurisdiction would be determined and limited to the religio-legal community he served, a Muslim rais for Muslims and a Christian for Christians.

(2) Furthermore there were few areas where the religious overlapped geographically. Villages were almost never mixed,[23] and in the cities, unofficial neighborhoods or quarters just short of ghettos allowed each religio-ethnic-legal community to live with sufficient integrity to have their own laws and leaders, and few occasions to mix with others, except of course in the market.[24]

Communal integrity depends a great deal on size: a very small group of persons are very likely to lose their identity

and be absorbed into the dominant groups around them. But we know that the Muslim and Melkite populations were quite large, and the Melkites were often concentrated in the cities (see Appendix One), so that they could easily have supported their own courts and other institutions for and by themselves.

The nomenclature is ambiguous however. What does it mean to have a Court of the Syrians or a rais of the Syrians? "Suriani", the term used by the Franks, is notoriously unhelpful, for it can mean: a) all non-Franks; or b) Arab-speaking Christians; or c) Jacobite Christians. This will be treated elsewhere (Chapter Ten, notes 18 and 24).

For our investigation, we go beyond religious boundaries and consider sectarian ones as well. Here it is troubling that there is no way to determine if the rais, particularly in their urban judicial functions, were differentiated according to sectarian boundaries -- Melkite, Jacobite, Armenian, etc. For many civil matters there would be no need for such a distinction, but to the extent that these courts and officials were carrying on the competencies exercised by the pre-Crusader community courts, such sectarian distinctions were usual and even necessary for a certain few legal questions.

We can presume that each of the eight non-Frankish communities had their own rais for formal litigations in urban areas and for customary cases everywhere. This is evident not least because the courts over which the rais presided were also divided along sectarian lines, as Chapter Ten will elucidate.

3. Disposition of Lesser Ecclesiastical Offices

We have mentioned the problem of determining what links existed between the Cour des Suriens presided by a rais and recognized by the Franks, and the pre-Crusader dhimmi courts recognized by Muslim law. To ascertain if these dhimmi courts and judicial officers functioned in separate tiers -- for civil and ecclesiastic matters -- rather than in a single competency, we shall look for other judicial officials among the clergy, other than the bishops and abbots already analysed.

a. Lesser Church Officers

The Melkites, like most of the Christian communities around medieval Jerusalem, identified strongly with their local monasteries, seeking in them a source of charity and of morale. In addition to monks however, other ecclesiastical officials were important for the functioning of community life, the archons.

The administrative hierarchy of an ecclesiastical province coincides very little with its sacramental hierarchy.[25] The Patriarch and his synod head both sectors, but whereas Metropolitans, bishops, protopapas (overseer of the priestly ranks) and archdeacons (overseer of the deacon or service ranks) represent the sacramental tiers, the administrators were largely (but not exclusively) filled by deacons and laymen, or unordained monks (who are thus ανιεροι or un-ordained, but still κληρικοι, because in vows).

The Patriarchal province of Constantinople had evolved its ecclesiastical administration in an atmosphere of imperial

intervention and inter-provincial interests. The other Oriental provinces of Antioch, Jerusalem, and Alexandria had less intimate dealings with the state and more limited horizons. But mutatis mutandis the Patriarchate of medieval Jerusalem was also administered by the following sort of hierarchy:

ECONOMOS[26] in charge of all temporalities, properties, incomes; formerly the domain of the archdeacon; appointed by the Patriarch, not by the synod.

SACELLARIOS[27] originally an assistant to the economos, and particularly in charge of monastic properties, discipline, and over personnel in general.

SKEVOPHYLAX[28] or Keimelion, sacristan; in charge of the church's moveable properties, sacred vessels, relics, vestments, and other cult objects. Each major church or monastery would have its own skevophylax.

CHARTOPHYLAX[29] originally an archivist or bibliothekarios, but over time he was raised to be chief secretary and chancellor, and so in charge of all administrative personnel and documentation; a role especially tied to the synod rather than to the Patriarch.

SAKELLION[30] often confused with the Sacellarios ; in Constantinople the Sakellion oversaw non-monastic parishes and perhaps convents of women; the fiscal aspect of the parishes, their legal status and property were his concern; an office whose importance grew if that of the Economos diminished.

The precise functions of these offices was very fluid and there was a tendency for each office to advance itself at the expense

of the higher ones, so that the antique chief offices became honorifics passed out to the major metropolitans (like syncellos), or they became merely liturgical (like archdeacon).[31]

Each metropolitan and bishop in the province of Jerusalem had similar officers under him, if the size of his eparchy and of his community warranted it. Beneath these major officers were lesser archons; secretaries and clerks, scribes, judges and counsels for ecclesiastical legal hearings, etc. Many of these titles were originally civil,[32] and the blending of civil and ecclesiastical titles varied much from province to province, so that outside Constantinople one can't be sure whether any particular archon is a priest or deacon, monk or layman. Accumulation of offices was not uncommon.[33]

In the absence of the Patriarch and many of the bishops, the administrative ranks could still easily have carried on, being filled by the ranks of the lower clergy and monastic communities, especially as most of the bishops had been monks themselves and most Greek Church properties were tied to monasteries.[34] The only problem is that of appointment; who had the authority to make appointments to these provincial offices which were in the power of the Patriarch and synod alone? Presumably the highest ranking archon could provisionally appoint the lower ranks, or each unit and property -- shrines, monasteries, charities -- simply fell back on their own resources when occupation by a foreign Christian power -- the Crusaders -- minimized the need for a connective web of province-wide administrators.

b. Archons in Jerusalem

We can apply this model to 12th century Palestine.[35] To place alongside the list of rais (Appendix Four), we have only a list of skevophylax/keimilarchons for the Resurrection Basilica, culled by Photopoulos from MSS in the Greek Patriarchal Library in Jerusalem:[36]

Agathías	1050 (the first mentioned since 634!)
Iōsēph	1118
Geōrgios	1122
Nikódèmos	1140
Anastásios	1185
Antíochos	1208
Eustáthios	1240, etc. until the 20th century.

All of these are clerics.

There is only one overlap among the two lists, that of the native Syrian ru'asa' and the list of the Patriarchal archons and skevophylax: the archon George of the Typikon of 1122 and the rais George of Jerusalem, identified from the cartularies of the Josaphat monastery in 1124 and from the Holy Sepulcher charta of 1125. There is also the seal of an unknown anchon George for the x-xi century in Schlumberger's collection.[37]

> The famous Typikon of 1122 says of George that he is
>
> archon and kritès of the Holy City, and sakellion, chartophylax, and grand skevophylax of the Anastasis. [note 38]

We have introduced George and the problem of interpreting his rank in Chapter Seven, Topic 5. We shall now be more systematic about him.

We are dealing with two sets of functions:

(1) archon and krites of the city. These titles imply civil functions;[39] they are antique civil titles which were out of fashion in Constantinople but still current in the provinces. If they were meant in an ecclesiastical context rather than civil, we would not expect them to precede the other three, more exalted ranks, but to follow them. A civil archon or judge would act as the chief judicial officer for the Melkites, appointed by the Patriarch. Bear in mind the judicial responsibilities of the Greek Patriarch over Christians in Jerusalem, described in Chapter Four, Topic 2 d). Was George in 1122 acting in the same capacity as his predecessors in 1064?

(2) In a small province like Jerusalem, the combination of sakellion, chartophylax, and grand skevophylax is not surprising. This leaves only the offices of Economos and Sacellarios to be filled by others; though these latter two were traditionally the two highest administrative posts, they were largely honorifics, and it would not be unusual for them to remain vacant. We will investigate these ecclesiastical titles in more detail.

The texts specifies that George holds these offices only for the Anastasis. Does this mean just the Basilica of the Resurrection, or the entire province? The titles borne by the Melkite Patriarchs of Jerusalem, as also by the Latins, were not without poetic imagination: Patriarch of the Resurrection, of Mount Zion, of the Holy City, etc., all meant to refer to the ecclesial province of Jerusalem -- Palestine I, II, III, and Arabia I.[40] Unlike Western church provinces, moreover,

Oriental primates did not necessarily have their own specific province and suffragan bishops within the Patriarchal province as a whole. In other words, as a bishop the Patriarch had no suffragans as such, but was the permanent chairman of a synod of bishops of the entire province.[41] Therefore, any titular reference to a Patriarch's See or Church can just as easily mean the entire province. It would help us to know how the Anastasis had been organized prior to 1099, but we have only the Commemoratorium de Casis Dei to refer to, from ca. 808, and the researches of Photopoulos, to indicate continuity of offices before and after 1099.[42]

It is not clear if the Resurrection Basilica was run as the church of a monastic community or corporation headed by the Patriarch (as it is today), or as a cathedral of the Patriarch. It has long been presumed that the Franks kept the arrangement which they found there, merely replacing the Greek "canons" with Latins. The Latin Patriarch's residence was distinct from that of the cathedral, whose chapter was headed by a prior.[43] Now if the Greek arrangement was similar to that of the Latins, George's title could indicate some authority within the church' monastic chapter, distinct from the Patriarchal sakellion and chartophylax who oversaw provincial administration. However, the nature and tradition of George's titles refer to the authority of the Patriarch and of his synod. A monastery or church chapter may have an economos, but not likely a skevophylax. Hagia Sophia in Constantinople had all these offices of course, but the place was the Patriarchal See not a monastic chapter,

and the office-holders, if monks, were subject to the discipline of other monasteries, not themselves forming one in the cathedral.[44] Our sakellion George would seem to be a high administrative officer of the Patriarchal province of Palestine.

Now we can ascertain how the two sets of offices were compatible with one man, and whether George would be a layman or a cleric, and if a cleric, an hieromenos or anieros.

Whilst laymen had been Patriarchal synkelloi and economoi in the past,[45] the other three ecclesiastical offices were normally held by hieromenoi -- deacons or priests -- though there would be no particular reason why clerical (i.e., not ordained) monks could not have held the offices. The only problem was that friction often arose if monks exerted authority over those of higher sacramental rank than themselves.[46]

On the other hand, there is no reason why the offices of archon and kritès should not be held by a cleric, though originally lay offices.[47] The cleric should be an hieromenos, especially as we really don't know what his functions would be in a city ruled by strangers with their own laws. An archon and judge of such a city would be concerned only with the Melkite community and with the application of Melkite communal laws, as had been the case during the previous 400 years of Muslim rule. Most contractual and business matters in which Melkites would be involved were handled by the Frankish Cour de la Fonde on which Melkites could sit as jurors.[48] (See text at note 9, this Chapter.)

Some Greek historians infer from these accounts that

George was a lay representative of the Byzantine Emperor, an overseer of the Melkite community in Palestine having special care over the monasteries.[49]

In the first place, following our arguments in Chapter Seven, the regularizing of relations between Jerusalem and Constantinople occured only in the late 1130's. So we would not expect any imperial representative such as George to be operating in the Holy City in 1122.[50] Further, the list of skevophylax and keimilarchs of the Anastasis provided by Photopoulos shows no others acting as Imperial representatives other than George, though no others have the same combination of titles as he does.[51]

Nor is it significant to claim for George the functions of an officer later entitled exarch, as some Greek historians do. As an ecclesiastical title, "exarch" seems to be a court functionary for religious cases, not at all resembling the civil exarch, a title which had long ago fallen into disuse.[52]

In all likelihood, this George was an hieromonos, an ordained cleric, holding the clerical administrative ranks of synkellos and economos as we would expect of a topoterite or acting administrator of the Patriarchal incomes and services in the absence of the Patriarch. In addition, he was acting judge of the community, which is also not infeasible because most of the law he adjudicated was canonical law. He was probably living in Palestine when he assumed these tasks, not sent in from Byzantine.

* * * * *

Not much light has been shed on the connection between the civil and ecclesial functionaries of the native Christian communities under Frankish rule. But we can paint this sketch, at least, which supports our preference for the first option described on p. 204: An irregular succession of community leaders of the Melkites was present to preside over the Cour des Suriens of the Melkites, and to arrange for the solution of a range of minor and major legal cases, save criminal and mercantile which each had their own forums. These community leaders were also ex officio vicars of the Melkite Patriarchs in exile, overseeing their properties and receiving funds from abroad.

This slender thread of organization was capable of fulfilling its duties in the absence of the Patriarchs and of bishops for an indeterminate length of time, as the survival of the community structure in the 7th and 8th centuries shows. Finally, this succession was durable because, and to the extent to which, it did not depend upon appointment from either the exiled Patriarchs of Jerusalem, or the Patriarchs and Emperors in Constantinople.

The Frankish documents indicate activities of communal leadership among the Melkites in continuity with their pre-conquest traditions, and that these leaders functioned largely in the absence of the community's principal chiefs, the Patriarch and his bishops. So the resident and native-born

members of the Melkite nation were probably involved in selecting and providing some of these civil leaders.

Certainly Greeks from Byzantium or Sicily continued to come to Palestine as monks or retired functionaries or pious pilgrims, but the Melkites also had a stable base of Syro-Arab faithful. We cannot presume that the interim leadership of archons, kritès, and rais were drawn from this native portion of the community, but this cannot be put aside as improbable (see Chapter Five, Topic 3, p.121).

Now that we have delineated the nature of the interim Melkite leaders, we can go on to a consideration of their principal duties. We have chosen for study the two principal areas where rais interacted with the Franks -- taxation and the courts, the subjects of the following two chapters.

1. Carolus deClercq mentions that in the opening decades of Arab rule, especially in Iraq, the Nestorian bishops sometimes appointed laymen as judges for their communities, and even the Muslim rulers "iudices laicos pro christianis constituerunt,"' in "Diversitas iuridica ecclesiarum orientalium" (Apollinaris 38, 1965) p. 361, and in his Fontes Juridici ecclesiarum orientalium (Rome 1967) p. 45.

For all matters outside strictly ecclesial (doctrine, morals, and clerical discipline) realm, the bishop's power over the faithful is one of arbitration inter volentes, per Auguste Dumas "Juridiction ecclésiastique (histoire de la)" (art.) in Dict. du Droit Canon, VI, cols. 238, 240, 247.

And from Canon vi of the Nestorian Katholikos George I, from the year AD 676: "...qu'ils soient jugés en présence des magistrats designés par l'évêque, du consentement de la communauté, parmi les prêtres...s'il y a quelque chose qui doive être cachée à ceux qui sont designés pour l'office du juge, qu'ils partent la cause devant l'évêque", as compiled in Chabot Synodicon Orientale (Paris 1902) p. 484, and by O. Braun Das Buch der Synhados (Stuttgart 1900) p. 339. This regulation was maintained in Byzantine canon law too, see Balsamon, Zonaras, & Aristenos Commentaria in Canoni, at Canon ix of Chalcedon, in Migne PG, t. 137, cols. 415-420.

See also Antoine Fattal "Comment les dhimmis étaient jugés en terre d'Islam" (1951), p. 323.

2. In the absence of the Patriarch, the episcopal synod carries on; this is true of all the Patriarchates; for Jerusalem particularly, see Epiphanius Diègèsis, narration of his visit to the Holy Land, ca. AD 840: "Throno destitute, et quae mox throno ornanda erat a concilio ob persecutionem Saracenorum", in Migne, PG. t. 120, col. 262. Even this meager synod seems to have been absent in the 11th and 12th centuries (see pp. 155-6 of Chapter Six).

3. Assises de Jerusalem, in RHC: Lois, I, Livre de Jean d'Ibelin, cap. iv. p. 26, and comments by Beugnot, on pp. vi, xi, xxiv-v.

4. Claude Cahen "L'Evolution sociale du monde musulman" (1958) p. 462. Whether dhimmi officials were ever used as tax collectors is a difficult question; certainly in Egypt and southern Mesopotamia, dhimmis were often treated by the Muslim administration according to their village units, so each village was held collectively responsible for taxes, leaving them to apportion and collect the amount themselves. In Syria and northern Mesopotamia, taxes were usually collected by Muslim officials from each dhimmi personally.

5. Cahen, ut supra, p. 462.

6. Cahen, op. cit. (1959) pp. 40-41; Joshua Prawer "Crusader Cities" in The Medieval City; Essays in Honor of Robert S. Lopez (New Haven, Yale 1977) 195-6; Vincent & Abel Jerusalem Nouvelle (Paris 1926) p. 948.

7. Cahen "Evolution sociale", part 2 (1959) pp. 42-43; Cahen "Mouvements et organisations populaires dans les villes de l"asie musulmane" (Recueil de la Soc. Jean Bodin vii:2, 1955) 273-285; also the stories in al-Qalanisi Histoire de Damas, about the rais of Aleppo and Damascus; al-Qalanisi was himself rais of Damascus; (tr) R. Tourneau (Damas 1952) p.4,n.1; p.35,n.3; p.55; p.193-5; p.235; p. 264-5; p. 266. Most recently, Peter von Sievers, "Military, Merchants, & Nomads" (1979).

8. Riley-Smith "Some lesser officials in Latin Syria" (Eng. Hist. Rev. 342, 1972) p. 1-2.

9. Especially in Acre. Mayer "Latins, Greeks, and Muslims" (History, 1978) p. 185; J. Richard Royaume Latin (Paris 1953) p. 128; Riley-Smith, pp. 6-7; J. Prawer "Crusader Cities" (1977) p. 196; Riley-Smith Feudal Nobility (London 1973) pp. 89-91; Jerrold Atlas Organization of the Kingdom of Jerusalem (NYU, 1969) p. 38.

10. Riley-Smith "The Survival in Latin Palestine of Muslim Administration" in P.M. Holt (ed) The Eastern Mediterranean Lands in the Period of the Crusades (Warminster, Aris & Philipps 1977) pp. 10, 12. See this paper, Chapter 5, p.106 at note 3.

11. See the comments of the Armenian Prince Thoros, analysed in Chapter 9. Also, our population estimates, in Appendix One.

12. Jacob Mann The Jews in Egypt and Palestine, vol. I, (1920) 199ff, 224ff. Actually, the Kairites may have remained in Crusader Jerusalem; the rabbinical authorities moved to the coastal cities, Tyre, Tripoli, then to Syria, and finally to Egypt. Jean Richard Royaume Latin (1953) p. 125; Riley-Smith "Lesser Officials" (1972) p. 3; J. Prawer "Notes on the History of the Jews in the Latin Kingdom" [Hebrew] (Shalem 2. 1976) 103-112; [English] (Immanuel 9. 1979) 81-86.; Prawer Latin Kingdom (1972) 236-250.

13. Claude Cahen La Syrie du Nord (1940) p. 428, 262, in Djabala, in northern Syria. J. Prawer sees the issue as a paucity of documents, and supposses that some qadīs did continue to function in Crusader territory, Histoire I 520. An important incident in this regard is recounted in Runciman History I, 210. See also Mayer "Latins, Muslims & Greeks" (1978) pp. 177-184.

Much more elaborate communal structures remained to the Muslim populations who came under Frankish control in Valencia

and Sicily, and we must wonder why Crusader Palestine was so ruthless in uprooting Muslim institutions. Either intense intolerance by the First Crusade, or heightened Muslim resistance could account for this. But Crusader propaganda was very intense in Aragon, and Muslim resistance in Palestine was negligable compared to the drawn-out campaigns required to subdue Spain and Sicily. I suggest that the extensive decimation and evacuation of Muslims by the Franks, especially from the cities, accounts for the simple level of community structure left to the, largely rural, Muslims of the Crusader Kingdom of Jerusalem. See M. Amari Storia dei Musulmani di Sicilia, III:1 (1937 ed.) pp.267-71, and R. I. Burns Medieval Colonialism (Princeton 1975) pp.250-58.

14. Apart from what has been described in Chapter 3 about dhimmi Christian courts, we have noted that bishops appointed judges for some specific jurisdictions (note 1 above). FOr the more general term of "rais", we have found this:

> During calif al-Mansur's round-up of Nestorian, Jacobite, and Melkite hierarchs, and his imprisoning of most of them for nine years until his death, the Nestorian chronicle mentions that the calif called into his presence the bishops and rais [of the Christians?]. A summary of Mari, Amri et Slibae (ed) Gismondi, vol. I (Rome 1899) p. 69 [Arab text].

15. Cahen "La feodalité et les institutions politiques de l'Orient Latin" in Oriente ed Occidente nel medio evo (Rome 1957) p. 186

16. A.-D. vandenBrincken Die Nationes Christianorum Orientalium (Cologne/Vienna 1973) pp.156-62

17. An article I was not able to consult: S. Runciman "The Greeks in Antioch at the Time of the Crusades" in Πεπραγμένα του Θ' Διεθνους Βυζαντινολογικου συνεδριου (Θεσσαλονίκη, April 1953) (Athens 1956) = No.3956 in H.E.Mayer's Bibl. zur Geschichte der Kreuzzüge (1960)

18. The governor of Antioch in Byzantine times was a δυξ (duke). We find officials bearing this title during the Norman period, 12-13 centuries, but the holders are all Franks, not natives. Did the rais THeodore and George inherit many of the duties of the former dukes ? As the Normans took over all aspects of defense, their officials took over the title of duke, and the remaining civil and juridical functions of that rank, now limited to just the Melkites, were placed in the hands of a rais. See Cahen La Syrie du Nord pp. 452-471, and G. Schlumberger "La Sigillographie byzantine des ducs et catépans d'Antioche" (AOL 2. 1884) pp.423-438. Frankish dukes are also found in 13th century Jubail and Latakia.

19. Mayer (History 1978) p. 185.

20. Ibid. p. 186 where Mayer remarks about some suppositions of Schlumberger that they "think the unthinkable".

21. René Filhol "Gouvernants & gouvernés" (Jean Bodin 1966) 101-125, esp. p. 121.

22. On Christian borrowing from Muslim legal practices, see Hubert Kaufhold "Islamisches Erbrecht in christlich-syrischer Überliegerung" (Or. Chr. 59, 1975) 19-35 which indicates even more extensive borrowing from Muslim law than he'd envisioned in his earlier Syrische Texte zum islamisches Recht (1971), sect. III:2, p. 33-34.

23. A village near the Greek monastery of Chariton, in the Judean wilderness, had a mixed population of Muslims and Christians, according to the Russian abbot Daniel in 1106/07, cap. 56 in Baron de Khitvowo edition (Geneva 1884-89) and also in John of Würzburg (London, PPTS) pp. 48, 55. Mayer himself recognizes that villages were hardly ever mixed. (History 1978) p. 184.
In the early 20th century, the village of al-Kerak, on the eastern plateau above the Dead Sea, had Muslims, Latins, and Greeks, but each group had its own sheikh, giving the village only territorial unity; Baedeker Palestine & Syria (Leipzig 1912) p. 154.

24. Prawer "Crusader Cities", pp. 182-4, 187-192, 195-6. There rages a lengthy debate between two schools of thought on the extent of inter-communal relations in the medieval Near East; S.D. Goitein, on the one hand, is impressed by the numerous documents and references to communal relations, between Jews, Christians, and Muslims, even in village and family matters, to support the view that such interaction was widespread and frequent. On the other hand, E. Ashtor is persuaded that the weight of religious custom which abhorred such contacts across religious, and even sectarian, boundaries, remained constant until modern times, allowing of some exceptions, but carrying communal public opinion to discourage and limit such interaction. See note 10 in Chapter 3.

25. A brief bibliography for church offices:
Léon Clugnet "Les offices et les dignités ecclésiastiques dans l'église grecque" (Rev. Or. Chr. 3. 1898) 142-150, 260-264, 456-457; (ROC 4, 1899) 116-218.
Louis Bréhier Le Monde Byzantin; II, Les institutions de l'empire byzantin (Paris, A. Michel 1949; paperback reprint, 1970) 104-109, 117-128, 140, 187-192, 394-402, 130, 194-5, 417-18.
Jean Darrouzès Recherches sur les Oϕϕikia de l'église byzantine (Paris. Inst. Franc. d'Études Byz. 1970).
Nicolas Oikonomidès "L'Évolution de l'organisation administrative de l'empire byzantin au xi siècle, 1025-1118" in (Travaux & Memoires 6, 1976) 125-152.

26. Bréhier, II, 394-402; Darrouzès, 22, 303-309.

27. Bréhier, ibid; Darrouzès, 310-314, 317.

28. Bréhier, ibid; Darrouzès, 314-317; Philemon Photopoulos "Peri Skevophylakōn tou Naou tès Anastaseos" (Nea Sion 7, 1910) 320-332.

29. Bréhier, ibid; Darrouzès, 64-5, 334-349.

30. Darrouzès, 63-4, 318-322.

31. Darrouzès, 18-19, 20.

32. Syncellos was even given to non-clerical courtiers; Darrouzès, 18. The office of civil sacellarios disappeared after 1094; ibid, 62, 310; and the office of nomophylax began as a civil one, and later became purely ecclesiastic, ibid, 79, 317; the office of logothete appears in both church and state departments, though with different functions, ibid. 362.

33. Bréhier, II, 117; Darrouzès, 22, 79-80.

34. The chartophylax was the usual representative of the Patriarch, during his temporary absence; Rhallès and Potlès Syntagma tōn Theiōn kai Hierōn Kanonōn (Athens), vol. V (1855) p. 537. As the traveller Bernard notes in the late 9th century, the monk Theodosius had been yanked from his monastery near Jerusalem to be made Patriarch; Desc. Terr. Sanctae (ed) Tobler (1874) p. 93, and in the (London. PPTS 1893) edition, p. 8.

35. It is not such a great presumption, that the Oriental Patriarchates (Antioch, Jerusalem, and Alexandria) retained the traditional ecclesiastical ranks and orders for administration after they came under Arab-Muslim rule. Byzantium continued to intervene deeply in the affairs of the other Patriarchates in the Levant, providing (if not appointing) leaders and administrators. Some documentation on this is to be found in the characters and stories which appear in hagiography -- the Vita of Michael the Synkellos (+ 846, in Constantinople; a native of Jerusalem where he was synkellos to the Patriarch), see Halkin #1296; the Vitae of the "Grapti" brothers, from the same period and city; the Vita of St. Stephen the Sabaite (+ 794), see Halkin #1670, in which is mentioned that the synkellos George succeeded the exiled Patriarch Elias of Jerusalem in the 790s (see Acta SS., Julii, III, para. 49 on p. 524 [Paris edition of 1867]), and the Vitae of Theodore of Edessa and Basilius of Emesa, 8-9th century, in Halkin #1744.

One can also look at the lists of those who attended and signed the acts of the great councils held in Byzantium

from the 8th and 9th centuries especially: the hegoumen Thomas who represented Alexandria in 787, the oikonomos Peter from Jerusalem, in 769 [see Theophanes, in CSHB/Bonn ed., sub anno 6277], the archdeacon Yusuf from Alexandria, in 869, etc. These lists are in Mansi Acta Conciliorum, or Hefele-Leclercq Histoire des Conciles, or J. Karmires Dogmatica et Symbolica Monumenta, et sim.

Finally, administrative titles abound in manuscript colophons, which can be culled from catalogues of the MSS of Mt. Sinai, Mt. Athos, and the Patriarchate of Jerusalem, esp. Papadopoulos-Kerameos Hierosolymitikè Bibliothèkè, and the supplement for Arabic MSS by Koikylidos.

36. Photopoulos, p. 327.

37. See Appendix Four, No. 1 and G. Schlumberger SEB, p. 443. On George, see Meliaris Hagioi Topoi p. 338 (= p. 84 in version in Nea Siōn 1928).

38. Papadopoulos-Kerameos Hierosolymitikè Bibliothèkè, III (St. Petersburg 1897) Cod. No. 43, p. 100; and his Analekta Hier. Stachylogías, II (St. Petersburg 1891) No. 1 pp. 252-253. The significance of "grand" (μεγαs) is explained in Darrouzès 61-2.

39. Kritès/judge was the highest civil officer in the themes/provinces of 10th century Byzantium, which included tax collecting duties. Emperor Constantine Monomachos created a new bureau in the capital to oversee appointments to this post, as too many persons without legal training were receiving it; Oikonomidès 134, 148-9.

Ecclesiastical kritès are discussed in Darrouzès, 373-380. See also Bréhier II, 104-109, and Kallistos Meliaras Hoi Hagioi Topoi (1928) p. 338. Two letters of Michael Psellos are written to kritès; one, in 1076, to the kritès of Paphlagonia, in RHC: Gr. I, 68-69; the other to the kritès of Macedonia, in Papadopoulos-Kerameos' article in (Nea Sion 1908) p. 504, item 6.

G. Schlumberger gives seven distinct meanings to the title archon, of which Nos. 2, 3, & 4 are pertinent: head of a distinct civil/military service; a clerical overseer of particular types of churches or monasteries; a magistrate of a city or village; in Sigill. Emp. Byz. (1884) p. 442.

40. See the bulla discussed in L. Y. Rahmani "On some medieval antiquities from the Holy Land" (Israel Expl. Jour. 21, 1971) 55-59. Also Hans E. Mayer Bistumer, Kloster u. Stifte (1977) p. 114, and other relevent seals in Schlumberger SOL (1943) 75-78.

41. See our discussion in Chapter 13, topic 3, and notes 13-15, to which we add: H.-G. Beck Kirch u. Theol. Lit., pp. 68, 102, 197; V. Grumel, "Titulature de métropolites byzantins. I. Les métropolites syncelles" (REB 2, 1934) 92-114.

The difference between Oriental and Occidental arrangements for primatial hierarchies was well appreciated by William of Tyre; he up-dated the old Byzantine "Notitia Antiochiae ac Ierosolymae", adding his own comments on how the Patriarch's metropolitans functioned as his syncelloi or advisors; in Tobler & Molinier Itinera Hierosolymitana, I:c (Geneva, 1880) 338-339.

42. On the Comm. de Casis Dei, the Latin version is in Titus Tobler Descriptiones Terrae Sanctae (Leipzig, 1874) p. 77-78, and 355-6; English translation by Col. Wilson in (London, PPTS 1913) p. 24. This document mentions 23 canons in the Basilica, 41 monks, and a syncellos as chief administrator.

43. In addition to the sources cited in Chapter 7, note 20, we suggest Mayer "Latins, Muslims & Greeks" p. 188, and Odeh Issa Les minorités chrétiennes pp. 174-178, where he analyses the different opinions on the eviction of the Greek canons.

On the antique presence of a Greek monastic brotherhood, the Spoudaioi, one may begin with the following: Baumstark "Die Heiligtümer des byz. Jerusalem" (1905); le comte Couret L'Ordre du saint-Sépulcre de Jérusalem (1887) p. 3, and his Notice historique sur l"ordre du Saint-Sépulcre de Jérusalem (Paris 1905); S. Pétridès "Le monastère des Spoudaei à Jérusalem" (EO 4, 1900/01) 225-228; Timothy Themelis Les Grecs aux Lieux Saints (1921) p. 5, n. 5, & p. 25; Jacobos Kapeneka "To Tagma tōn Spoudaiōn" (Nea Zion 55, 1960) 231-244.

44. This supports our contention in Chapter 7, topic 3 that there had not been a cathedral monastic corporation apart from the Melkite Patriarchal functionaries in the Resurrection Basilica, unlike the distinct mensae for the canonical chapter and the Patriarch which the Latins set up.

On the staff of Hagia Sophia in Constantinople, see N. Oikonemides in (Dumbarton Oaks Papers, 30, 1976) p. 153.

45. Darrouzès, 29, 38, 52.

46. Darrouzès, 343.

47. Many civil offices were entrusted to clergy, and this tendency increased during the 11th century under the Comneni, and even more so under the Paleologi; this included the office of kritès, and by the early 14th century, many of the travelling judges in the provinces were bishops; Bréhier, II, 130, 417-418. A. V. Soloviev "l'Influence du droit byzantin dans les pays orthodoxes" in Relazioni del X Congresso intern di scienze storiche (Florence 1955) vol. I, p. 593; and Jean Montreuil Histoire du droit byzantin (1843-46) vol. III, pp. 93-101.

48. Beugnot Les Assises de Jerusalem, II - "Assises de la Cour des Bourgeois" RHC: Lois, II (Paris 1843) p. xxiv; Prawer "Étude préliminaire" (RHDFE 1954) 360-362.

49. Timothy Themèlis Les Grècs, p. 33; Anonymous, Anairesis tōn kata tou Patriarcheiou Hierosolymōn Theōriōn (Jerusalem 1937) p. 31; Stephanos Palaska Hè Palaistinè Allote Chōra Hellènikè (Jerusalem 1950) p. 20; M. K. Karapiperes "To Patriarcheíon tōn Hierusolymōn 451-1951: meros Δ, Hè katochè tōn proskunèmatōn" in Chiliostè Pentakosiostè Epeterios tou Patr. Hier. 451-1951 (Jerusalem 1955) vol. II, p. 92; Photopoulos "Peri Skevophylakon" (NZ 7, 1910) p. 322; Nicephoros Moschopoulos La Terre Sainte (Athens 1956) p. 135; most of these echoing the statements of Archbishop Chrysostomos Papadopulous Historía tès Ekklèsías Hierosolymōn p. 392-393 [= pp. 429-430 in 1970 reprint].

50. John LaMonte "To What extent was the Byzantine Empire the Suzerain of the Latin Crusading States?" (Byzantion 7, 1932) 253-264.

51. Photopoulos, 328-331.

52. Clugnet, 116-128; Photopoulos, 326, 330.

CHAPTER NINE:

The Civil Structure of the Melkite Community

Taxation

Taxation offers us the opportunity to clarify the predicament of the Melkites in the society of the First Latin Kingdom. Analagous to our survey of the courts (Chapter Ten), the kinds of taxes the Crusaders imposed upon their subjects describe the three ways of dividing the population: (1) rulers and subjects, (2) freemen and those in servitude, (3) Christians and non-Christians. The first two categories were the more influential. The third category was surprisingly inconsequential; its fiscal recognition was simply that Jews and Muslims paid a poll-tax to the Christian Franks, and the native Christians were liable to the Latin Church's tithe.

The head-tax paid by Jews and Muslims, analagous to the jizya the Jews and Christians formerly paid to the Muslims, was imposed on them less because they were non-Christians than because they were defeated peoples, and hence in civil servitude.

Although we start from the beginning, with all the taxes collected in the Kingdom on the basis of personal status, only two kinds of non-mercantile taxes are pertinent to our aim: the civil capitulum or head tax, and the ecclesiastical tithe.

All the natives were liable to a head tax or poll tax, just as, under Islam, dhimmis had paid a special poll tax called jizya. The Crusaders maintained this jizya, though not under its distinctive name. By integrating the Muslim poll-tax

into the head or hearth taxes familiar from Roman practice, the Crusaders gave the impression of relieving their native Christians of the shame of their former tax of second-class citizenship, but collected equal amounts from them in taxes of other names. Urban dwellers of whatever nation were usually exempt from the capitulum. This chapter will explain the transition from Muslim to Frankish poll taxes in detail and its significance for the native Christians.

More novel than the Frankish head tax was the Latin Church tithe. The extent to which this was imposed on the native Christians will tell us a great deal about the status of the Melkites, for this ecclesiastical tithe has a religious function. By comparing its prevalence to that of the civil tithes, we will have a clearer picture of the relative importance of faith or nationality in determining the Melkites' standing in the Kingdom. Were they viewed by the Frankish tax assessor primarily as subject people or as fellow Christians? As Christians, could they escape the poll-tax and then also avoid the tithe of the Roman Church? They could not shirk both taxes, but the personal tax which the native Christians did pay might not be considered as a tithe or as a jizya in name, though it was probably not less than the tithe in amount.

We can appreciate the Franks' preference to organize their subjects by the first two standards -- (1) ruling caste and subjects, and (2) those with personal liberty (urban dwellers, etc.) and those tied to the land or other servitude.

A person could change religious affiliation by choice, whereas subjection and servitude were more stable and determined by the state.

1. Common Taxes[1]

There were no taxes paid by each resident of the Latin Kingdom as such, nor was there anywhere in the medieval world. So what we mean by common taxes here are taxes paid on labor, produce, merchandising, etc., taxes paid on things regardless of the personal status of the person who produced, conveyed, or sold them. The most common of such taxes in the Latin Kingdom were taxes on orchards and arable land, the terraticum/terrage tax, which was much like Muslim kharādj. Tenants paid the terrage to their lord as a share of their crops, usually a fourth to a third, and non-noble Frankish landowners paid their superior directly. Foodstuffs and manufactured goods were taxed by conveyance as they entered the marketplace or at the port of entry. Down to their details, these taxes were assigned and collected much as they had been in the pre-Crusader period.

The noble classes, in general, were exempt from taxation in recognition of the services which they owed the state. The Frankish states obtained military service by apportioning land to the noble classes and to the Church sufficient to support the required knights, sergeants, and infantry. The money economy was more viable in the Orient than in early medieval Europe, and it was not long before the preponderance of money over land transactions in the small Crusader principalities allowed the Frankish kings to grant money fiefs

instead of land fiefs for this purpose.[2] Money fiefs were nearly the only kind of fief during the Second Latin Kingdom at Acre (1192-1291) when the state included little else beyond the coastline.

Special taxes or emergency revenues were occasionally voted by the royal council, which were due from the Frankish community or sometimes extended to every subject.[3]

These "common" taxes tell us nothing about the communal identity of the taxpayer unless evidence can be found to support the suggestions of Prof. Ashtor that Muslim merchants were charged a market fee different from that charged Christians. Having set aside these types of taxes, we can concentrate upon taxes imposed by communal criteria.

2. Taxes on Frankish Citizens

The Frankish nation as such was liable to the tithe.[4] There were varieties of medieval tithes, or dîmes, both secular and ecclesiastical:

A	Owed the Church	B	Owed the State
1.	Real Tithe (10% of gross on crops produce, animals, etc.	2.	Personal Tithe (10% of net on crafts, skills, retail buying & selling, negotiations, etc.

All four types could exist: ecclesiastical real (A1) and personal (A2) taxes, as well as civil and real (B1) and personal (B2) taxes.

Civil tithes took no account of the communal identities among the taxpayers, so we shall not spend any time on them.

We are interested in the capitulum which the state collected on an individual or household basis, but this was usually a set amount, not a tithe. And our interest in this civil head tax is only due to our curiosity about the fate of its predecessor, the Muslim jizya (see Topic 3). However, as this civil capitulum was only one among many civil taxes, it is not easy to isolate it in the documents.

The ecclesiastical tithe, on the other hand, was the only general tax collected by the Church from the laity and so it is easy to analyse. The Church's real tithes (A1) were collected from property owners, broken down by parish boundaries, on any and all land that fell within those boundaries. The Church justified its right to this amount by teaching that one-tenth of the entire earth's produce was due the Church each year, a notion derived from Leviticus. This even included booty.[5]

Personal tithes (A2) were assigned to parishes on the basis of the residence of the taxed subject. As it was the land whose firstfruits were being devoted to the Church (A1), the personal status of the property owners was secondary. Thus even non-baptised persons were included in the tax rolls; e.g., the net income of Jews in Western Europe was often figured into the Church tithes.[6] Religious institutes and collective incomes were subject to the real tithe unless exempted by Rome, as were the Cistercians, the Hospitallers of St. John, and other Orders. Clerics were usually not subjected to the personal tithe.[7]

During the Middle Ages, the difficulty in determining who was liable to the personal tithe (A2) was never resolved to anyone's satisfaction: were heretics and pagans exempted because they made no use of the Church's services?[8] So the Church tended to concentrate on the real tithe (A1) and not to insist on the personal tithe (see ahead, p. 253).

In Europe, the immediate recipient of the church tithes was the parish, which sent 1/4 to the bishop. In Latin Palestine the bishop received the entire collection of the tithe himself, as the web of parishes was very weak.

As in all tax matters, the Church required the support of the State to enforce the tithe. This was one reason why it was important for ecclesiastical jurisdictions to coincide with those of the State. Hence Pope Paschal II's decision that the ecclesiastical province of Jerusalem should include all the lands acquired by the Latin Kings of Jerusalem, even though this meant splitting the Metropolitanate of Tyre between the Latin Patriarchates of Antioch and Jerusalem. The issue of tithes, their collection and payment by the collectors (the State) to the Church, was an early order of business in the new Frankish principalities of the Levant. In Palestine, the issue came up at the first Church council to be called in the realm, at Nablus in January of 1120. The synod issued 25 canons; the first three spelled out the agreement between King Baldwin II and Patriarch Garmund whereby the King agreed to turn over the Church its rightful tithes.[9]

The tithing of the ruling caste (Franks) was adumbrated because of tensions between the claims and aspirations of the Latin Church and the civil regimes in the Crusader East. Frankish tax policies towards their subjects were also infected by this tension.

3. Taxation of the Natives: the Capitation or Poll-Tax

In general, the civil administration of the Crusader Kingdom ruled its native non-Frankish subjects closely, and kept the claims of the Roman Church at a distance. The only claim the Church tried to press upon the non-Christian natives was for the real tithe (A1).

The income from lands and goods which were owned by non-Christians were sometimes considered unsuitable for the support of the Christian Church. But because Jews and Muslims were not subject to the Church's personal dîme (A2) (they paid the capitation instead, as we shall describe), they were often liable to the estate or property dîme (A1). This was especially true if their lands were within Christian territory (obviously, for the dîme would not be collectable otherwise) and had once belonged to Christians or been subject to the dîme at any time in the past.[10]

The principal civil tax on the non-Christian natives was a head tax, not a personal tithe. According to the customs of the Christian Roman Empire (itself derived from those of the Oriental Empires), non-Christians paid a capitation or head tax (capitatio or κεφαλιτιον) to the State instead of the Church tithe. The capitation is not to be confused with

the general head tax or poll tax (καπνικόν) which was later tied to a hearth tax and was levied on all non-urban populations.[11]

The Jews had always been subject to this head tax under Rome and Persia, and more recently under the Muslim califates. Christians too paid the capitation to their Muslim rulers who called it a jizya. Children, the old and infirm, and often monks were exempted, but anyone who earned a living had to pay. The Islamic jizya was a fixed amount, the same for everybody, though some schools of Muslim lawyers allowed up to three rates, so that the rich paid more and the poor less, but all proportionately the same. In only a few regions, villages paid the jizya as a unit; most often each Jew and Christian was listed in a tax register individually.

The Franks did as the Byzantines when they acquired Muslim territory and mixed populations. All Christians, of course, ceased to pay the jizya, and Muslims were subjected to it instead alongside the Jews.[12]

The Franks themselves did not distinguish among their poll taxes, a jizya-type for Jews and Muslims, and another type for non-Frankish Christians. All non-free persons were liable to a capitulum/head tax.[13]

It is our Muslim source (in note 12) who calls the poll tax paid by the Muslim residents of the Latin Kingdom a jizya, and the other nations would have viewed their head tax in terms corresponding to their own historical experience. But Muslims--and Jews?--did not individually have personal liberty under the

Franks as did some native Christians. Individual liberty usually meant freedom from the head tax.

Vilains, Christian or not, paid no tithe, but only the customary onerous portion of their produce to their lord.

The Jews and Muslims living in the Latin Kingdom have now been accounted for. Were the taxes the native Christians paid the same as those of Jews and Muslims, or did their religion at all affect their tax status?

4. The Taxation of the Native Christians

Christian vilains or serfs derived no benefit from their creed. The loss of so many liberties at that stratum was too great to be mitigated by any other aspect of an individual's identity. This Topic concerns only free native Christians.

a) The Jizya. Whatever their alienation from the Latin Crusader regime, the native Christians would not have tolerated being subjected to the odious poll-tax of defeated peoples.[14] The Frankish knights who first clattered into Bethlehem before dawn on 7 June 1099 brought the hope of freedom from Muslim oppression, and while many of the political hopes of the native Christians were not realized during the 88 years of Frankish rule, an improvement in the religious liberty of Christians and a release from the jizya were without a doubt the most tangible tokens of Christian liberty provided by the Crusaders to their non-Roman Christian subjects.

Professor Joshua Prawer has continued to lump together the native Christians with the Jews and Muslims as common subjects of the Latins and their poll tax.[15] This is correct,

because this is just what the Frankish documents say. What is required to escape from this impass is but a bit of finesse.

(1) The Franks were surely zealous to extract the maximum taxes from their subjects, compatible with maintaining their loyalty and not encouraging emigration, and even these goals were often sacrificed to the fisc. The Crusaders were also alive to the utility of the historical communal structures and autonomy of their subject populations, as a means of assessing and collecting taxes more efficiently (see Topic 7).

(2) Some sort of head tax, hearth or household tax, or personal tax was assessed on all non-noble inhabitants of the realm, in addition to property, merchandise, sales, transport, and agricultural dues and fees. But the nature and titles of such personal taxes varied from community to community, from rural to urban dwellers.

(3) The Latin Franks were liable to the civil and ecclesial dîmes. The Jews and Muslims were liable to the jizya-type of poll tax. The native Christians considered themselves to be exempted from the jizya-type of poll tax. But they certainly paid a personal tax or capitulum of another name and of similar weight, for even the poll tax was usually less onerous than the Latin Church's tithe.[16]

b) The Church Tithe. It has been contended that the Melkites were liable to the ecclesiastical tithe of the Roman Church, just as were the Franks. Was a Church Union the basis for this, or civil expediency?

In general, the Roman Church expected non-Frankish Christians to pay tithes to the local Latin Patriarch or Metropolitan. The assumption was that all non-Frankish Christians living in Latin territory would have submitted to Roman jurisdiction. This assumption was largely true, say, in Norman Italy and Sicily. But further East, the Oriental Christians, to whom tithing was not a rigorous practice, resisted its imposition.

If they claimed exemption, as Christians in a Christian realm, from the jizya, could they also claim exemption, as non-Latins, from the Roman church tithe? They would be successful in both ventures only if they acquiesced to accept some other more appropriate personal tax, as did their fellow Greeks on Norman Sicily and Cyprus.[17]

The poll-tax issue seems to have been settled on non-religious grounds. Unlike Muslims, the native Christians were not automatically classed as a subservient race. Those among them who enjoyed the customary liberties of city residence or landowning were exempted from a poll tax, due to their socio-economic status, enhanced by their Christian beliefs. This had analogous effects on the tithe as well (see Topic 5).

Therefore, only the ecclesiastical tithe can tell us something particularly about the religious status of those paying the tax. Topic Two has described the scope of the Church tithe in the West. The division of tithes into real and personal reflects the tensions behind the ecclesiastical tithe itself. It can represent the homage of the whole earth

to God's Church -- the real tithe; or it can represent the support of the faithful Christians to their Mother the Church -- the personal tithe. Thus, the tithe could be extended to Jews and Muslims and pagans if, for example, they owned land in Christian zones. Or it could be limited just to Roman Catholics, excluding even schismatics and heretics, for the latter would not be making use of Roman Catholic services for which the tithes went to pay.

In the Latin Kingdom, the former dimension was not present, for Jews and Muslims were subject to the jizya/head tax instead, which precluded assessing the real tithe (A1) on them as well. So we are dealing only with the personal church tithe (A2).

Another complication existed, the confusion between the civil and ecclesiastical tithes. In the West, the Church's real tithe too much resembled the hearth tax or head tax which was commonly the basic civil tax. And as the State had the most efficient, or persuasive, means of collecting it, the Church's real tithe became lost in the civil dîme.[18]

Also, the lay rulers usually had a temporary right to 1/2 or more of the Church tithes in reconquered or newly-settled areas, in recompense for the costs borne by the laymen in the conquest or settlement, and in anticipation of the lands to be granted to the Church from the re-organized territories.[19] Therefore, it is not always simple to isolate Church dues from other assessments. But despite these ambiguities,

we should be able to derive some notion of the criteria used to determine the social and religious status of the native Christians, by ascertaining whether or not they were subjected to the tithe of the Roman Church.

As fellow Christians with the Latin Franks, we might expect that all the native Christians of the Latin Kingdom were as subject to the Church tithe as were the Franks. Or even that just the Melkites were, to the exclusion of the non-Chalcedonians. The reasons for subjecting just some native sects to the Church tithe would presumably be ecclesiological, indicating that religious criteria were being used to determine subject of the dîme.

We know that the Jacobites and Nestorians and Copts of the Kingdom were not pressed to pay a tithe to the Roman Church.

If no native Christians were subject to it, there are only two conclusions:

(a) There is no correlation between Church Unions -- Romans and Melkites or Jacobites, etc. -- and civil status, as our analysis of courts and legal status would seem to suggest; or

(b) There was no real, effective Church Union in 12th century Palestine, even among the Roman and Melkite Chalcedonians.

In fact, both of these circumstances were true. Some instances of tithing might suggest that the tithe was more rigorously collected from the Greek Melkites than from Jacobites, Armenians, and Nestorians, if the latter sects ever paid

tithes at all. Unfortunately the various Oriental nations are not consistently identified by contemporary sources, so that we have no clear picture. This in itself casts doubt upon the notion that the Greek Melkites were singled out for attention, as the Latin documents do not identify them with any accuracy (see Chapter Ten, note 24), an unlikely situation if some importance was attached to a particular group being in Union with the Roman Church.

We shall leave behind religious criteria, then, and consider more secular norms of civil status as better indicators of how the native Christians were taxed.

5. Tithing of the Melkites According to Social Stratum

Every tithe is not a Church tithe and they can be fixed upon either property or personal income and so include non-Christians. There is no inherent logic, then, leading from the assessment of a Church tithe to the discovery of the religious identity of the taxpayer.

To attain some clarity, we consider the taxpaying native Christians according to their social stratum rather than their particular confessional identity. Such an analysis tells us that the ecclesiastical communities of the Melkites -- the monasteries -- were caught in the fiscal web of the Latin Church more than laymen and their industries.

This varience is explained by the fact that the lay authorities of the Latin Kingdom rarely exerted any force to assist the Roman Church in the collection of her tithes, from

Latins and non-Latins alike. Not for the first time then, the claim of Church Union was used as a political lever by the Church in issues not directly involving the Melkites, but serving contests between the Frankish ecclesiastical and lay powers.

We shall consider the Melkite community as composed of vilains, those tied to the soil as tenants or serfs; freemen, landowners, merchants, and urban dwellers; and those in religious life.

(a) Christian vilains did not pay any real-tithe directly, for they did not own their lands and incomes. Like their Muslim counterparts, they gave their landlord his dues, and from this the Frankish landlord paid his tithe. Vilains were not subject to the personal tithe either. Claude Cahen described the similar situation prevailing in 12th century Crusader Syria:[20]

> Les fidèles grecs doivent la dîme à l'Église latine. En principe il en va peut-être différement des autres chrétiens. Mais d'une part ils sont soumis à des petites prestations et corvées au bénéfice du clergé latin; d'autre part si les paysans indigènes n'ont pas à payer la dîme en leur nom, leurs maîtres latins la doivent, calculée d'après le revenu global de leurs biens, c'est-à-dire qu'ils se faisaient payer pars leurs paysans une certaine redevance qu'ils devaient théoriquement rendre à l'Église.

This description may be over subtle, for it is likely that all the ruling parties merely extracted their traditional portion of the produce of the peasants and tenants, without bothering to impose any more refined dues upon them. Cl. Cahen and Jean Richard point out that non-Latin Christian vilains in

Palestine were not subject to the tithes, whereas vilains in Europe were. But all those vilains were Catholics, whereas no Catholics were in servitude in Latin Palestine. This is how Cahen accounts for the difference:[21]

> Il y avait ici une difficulté inconnue des pays occidentaux. Là, les dîmes étaient payées par les vilains, non par les seigneurs. Mais d'autre part, en Orient les dîmes ne pouvaient en principe être percues que sur les Latins ou les Grecs, puisque les monophysites et les Arméniens relevaient d'autres églises.

This adequately describes the structure of tithing on the farm, but unjustifiably excludes the monophysites. Cahen continues:

> or le plus souvent les Latins et les Grecs n'étainet que propriétaires et faisaient cultiver leurs terres par des paysans monophysites, arméniens ou musulmans. Il fut donc stipulé que les premiers auraient à faire payer à leurs paysans des droits tels qu'ils pussent prélever dessus une dîme à reverser par eux à l'église. Les paysans non-latins ou grecs devaient d'aillerus souvent directement à l'église quelques redevances en nature, par example des mytres pour les grandes fêtes.

In the West, these additional demands upon the peasantry would be included under feudal dues, and are not on the same plane as poll taxes or tithes. We feel this was true in the Latin East as well, so that Cahen need not attempt to find a lack of tithes to be compensated by provisions of myrtle!

The native Christian vilains -- because they were vilains and not because they were Christians -- were not subjects of the real tithe; that duty fell upon their landlords. Nor were they liable to the personal tithe of the Roman Church,

in part because the civil hearth tax was already onerous enought, and also because their civil lords, beneficiaries of the hearth tax, protected their native Christian tenants from the demands of the Catholic Church. The Church in occupied Palestine had no direct access to the native Christian Vilains without the help of the secular authorities, except perhaps those working the lands of the Church herself.

Those Melkites who were landowners were liable to some tithing as landowners, but they belong with other freeman, in the next category.

(b) Free native Christians. Tradesmen, craftsmen, landowners and urban residents were expected to pay the personal tithe, but to the extent that the State was responsible for identifying and collecting it, the native Christians usually escaped paying it.[22] Free native Christian landowners and bourgeoisie were as liable to the real tithe as were the Latin Franks, with no special consideration for being Chalcedonians or non-Chalcedonians by dogmatic persuasion.

If the Cour des Bourgeois and the Viscount were responsible for assigning the tithe upon freemen, they would be concerned with Franks foremost, for the Frankish courts lacked the expertise to identify and assess non-Latins who remained isolated in their own language and custom groups. For this reason, the Latin Viscount may have expected the Cour des Suriens to see to the collection of the tithe from its subjects. Topic 7 will analyse community autonomy in this light.

From the Church's point of view, she insisted on her rights to the tithes from non-Latin Christians while willing to make accomodations. Two acts of Pope Honorius III are relevent here. In the first from AD 1222, the Pontiff allowed non-Latins in the Latin domains of Constantinople and Thessalonika to pay only "tricesimam pro decimis" [= a third of the usual dime, 1/30 instead of 1/10] for ten years, after which time they should pay the full tithe. In the other, from 1225, the same Pope granted the Latin Patriarch of Antioch the authority to waive tithes from the Greeks if he saw fit, while reminding him that the Greeks were not different from any other Christian nation in being subject to the duty of tithing. A later act from the Latin Church at Acre in 1267 insists that the Christian prince of Cyprus assist the Church in collecting the tithe from the Syrian peasants on the island.[23]

It is questionable, of course, whether these 13th century patterns had been clearly set in the previous century in Palestine.

The only revealing incident we have for the period of the First Kingdom concerns the ARmenian peasantry whom Prince Thoros offered to relocate into Latin Palestine around AD 1170, for he'd seen how dependent the Franks were on Muslim labor.[24] The Latin Patriarch insisted that these Armenian immigrants be subject to the tithe, a condition which Thoros rightly found ungracious. King Amalric could not, it seems, alter the Church's insistence, and so Thoros withdrew his offer. Now we presume that these were to have been free peasantry who

would be given small holdings from crown lands, though perhaps they were intended to take over vacant land in baronial territories, such as the villages near Nablus which were recently abandoned by their Muslim inhabitants.[25]

If they were only tenants, then their landlord would pay the tithe out of his receipts from the Armenians. But as Prince Thoros was upset by the Latin conditions, it was probably in response to demands for direct payment of a personal tithe, implying that the immigrants would be freemen.

It is unusual that the king was unable to overcome the church's demands, for the local ecclesiastical establishment was not known for its independence from royal policies, unless the insistance on tithing came from Rome.[26]

We see how concerned the Church was to let no class of native Christians escape the duty of tithing, but the reluctance of the Frankish lay authorities to enforce such a tax mitigated its rigor for freemen among the Melkites and other sectarians. Over the religious establishments of the natives, however, the Roman Church was able to exert greater control.

(c) The religious institutions of the non-Frankish communities -- monasteries for the most part -- controlled many pieces of property and rights to mills and market stalls and the like, and so represented the largest single bloc of revenues controlled by the native Christians, though many native Christians were well-to-do merchants and craftsmen. Religious houses had not been accustomed to pay tithes on their lands to the local hierarchy even in Byzantine times.[27] Further, as many

of the Melkite and Jacobite monasteries had patrons among the ruling Frankish caste, they were often in a good position to resist the Latin church's demands for tithes on their land incomes.

While the lands and incomes of non-Chalcedonian churches and monasteries were not tithed for the Roman Church in 12th century Palestine, those of the native Chalcedonians were. The Jacobites and Nestorians seem not to have had this immunity on Cyprus.[28] The difference was that in Palestine Jacobites and Nestorians had their own hierarchy who kept on good terms with the royal household, whereas we know of no Nestorian and Jacobite bishops on Lusignan Cyprus until the late 14th century. As the Palestinian Melkites discovered, the absence of a strong church hierarchy made a considerable difference in a community's ability to resist Latin pressures.

We have many documents from the 13th century which show that it was a common practice for the Popes to grant exemptions from tithes to Greek monasteries for the lands the monks worked themselves or which provided the income for the basic necessities of the house. Lands and incomes beyond that were kept liable to the tithe (see note 41 ahead). The same was done for Latin monasteries. We presume that non-Latin clerics, like Latins, were exempt from the personal tithe, for the documents emphasize monastic industries and properties, which were the basis of the real-tithe.

Another reason why the non-Chalcedonians escaped the Roman tithe better than the Melkites was that the Syrian and

Armenian nations retained their full communal autonomy and ecclesiastical structure apart from the Latins, and entered into no formal unions with Rome, so that the latter could have no basis upon which to demand tithes.

All these factors were exacerbated by the reluctance of the civil authorities to enforce the church tithe.[29]

It has not been possible in the preceeding discussions to fully isolate the Greek Melkites from other native Christians in regard to taxation. To amend this failing, we will turn briefly to Lusignan Cyprus, where the documentation is more explicit.

6. A Digression on Cyprus[30]

Not only do the Cypriot documents distinguish the "Uniate" Greeks from the Latins and from the Syrians, but they state that they were describing conditions on Cyprus which had existed previously in the Kingdom of Jerusalem.[31]

The formal erection of the Latin Church on Cyprus in 1196 went hand in hand with the imposition of tithes and the regularization of the remaining Greek hierarchy.[32] The Greek dioceses were reduced from 13 or 14 to four, so as not to be greater than the number of Latin dioceses.[33] The Latin Archbishop at Nicosia thought it inappropriate that the Greeks should retain a Metropolitan and constantly fought Rome on this issue, but a succession of Greek Metropolitans was fairly regular nonetheless.[34]

Tithes were due from the entire island and from all landowners, Latin, Greek, or Syrian;[35] peasants were liable

as well, through their landlord or directly.[36] The Frankish nobility resisted paying full tithes to the Church and the case was finally taken to the High Court of the Kingdom at Acre, where Rome won her case and the Cypriot crown and nobility were fined for withholding tithes.[37] It seems that in many cases the Crown had collected tithes from workers on church lands and retained them for its own uses.[38] Even bishops from the mainland (Palestine) came to Cyprus to collect tithes on properties owned by them,[39] under the close scrutiny of the local Latin bishops who were evidently hard pressed to be able to collect their own tithes.

Rome made no distinction among the Oriental nations; all were subject to her universal jurisdiction, and in some matters to the local Latin hierarchy,[40] though the only specific instances our documents give concern just Greek churches and monasteries. The popes often granted partial exemption from tithes to Greek monasteries on lands they worked themselves, and the Greek clergy were not personally subject to the Latin tithe.[41]

Syrian Chalcedonians (Melkites proper) and the non-Chalcedonian sects did enjoy greater legal autonomy and personal liberties on Cyprus than the Greek Cypriots from the 1220s to the end of the 14th century (see Chapter 15, p.426). But this had little effect upon the tithe or any other taxes.

Negotiations on all of these issues dragged on for fifty years or more after the establishment of the Lusignan state, and it's clear that the non-Frankish communities often

avoided contact with and dues to the Latin Church for a long time, if not from their more forceful lay lords.

The major exception were the Greeks, who were constrained to enter the common, Latin-dominated institutions of the island. This certainly meant that the Greeks paid the real church tithe, and it may be the personal tithe also, in addition to the civil capitulum.

The Latin Church justified her claims as being the customs of the Kingdom of Jerusalem, and no doubt they were, in theory. But the stronger presence of organized non-Chalcedonian churches in Palestine, and the relative autonomy of the Latin Patriarch of Jerusalem from Rome, not to mention a century less of experience (for we're comparing 13th century Cyprus to 12th century Palestine) mitigate the application of the Cypriot experience to Palestine of the 12th century.

At the heart of this problem -- the varying ability of the Melkite community to avoid the imposition of the Latin church tithe -- lies a reality which both the Frankish lay rulers and the Melkites appreciated, and which determined the Melkite response to the Roman Church in this and in other matters: the historical structural autonomy of the Melkites.

7. Taxation and Community Autonomy

The Muslim world was full of semi-autonomous communities (dhimmis) whose members, wherever they lived, remained subjects of their personal status laws. In addition to the religious sanctions for this arrangement, we've suggested that the Muslim

regimes utilized the strong community structures of their dhimmis as an avenue of involving the dhimmis in the allocation and collection of taxes, especially the jizya (See Chapter Three, topic 3).

The linguistic and customary barriers which long existed between dhimmis and Muslims (Arabs and others) inhibited the ability of the Muslims to identify and contact taxable subjects, properties and incomes. From this viewpoint, the minority community's cooperation in the allocation and collection of its taxes due to the ruling caste was a very important element in insuring the maintenance of its communal autonomy, and of the ruler's benevolence towards the community. This was true as well of Jews in Western Europe as of Moors in Christian Spain and Sicily.[42]

Similarly, in the collection of civil taxes, tithes, and poll-taxes from their non-Frankish subjects, Crusader authorities utilized to the fullest any existing community structures among them, and respected their autonomy to the degree consistent with military security (e.g., restrictions of Muslim communal organization). Hence the tax duties assigned to the Cour des Suriens.

Now the entry of ecclesiastical taxes troubled this arrangement, because the Church's concept of peoples and nations differed from the State's for one critical group, other Christians. While the Frankish regimes were usually content to respect the communal autonomy of the native Christians, the Roman Church was compelled to integrate them into

herself as much as possible.[43] Theological talks were held to accord doctrinal differences; non-Latin bishops were subordinated to Latin metropolitans; differences in canon laws and liturgies were minimalized; and non-Latin languages and customs were tolerated only because they could not easily be done away with.

Obviously, the Roman Church desired to include these non-Latin Christians into the ranks of those Latin Christians subject to church tithes too. In this as in other instances of ecclesiastical discipline, the Church required the coercive forces of the State to enforce her claims,[44] for most non-Latin Christians were not awed by the Roman Church's threats of excommunication and spiritual censure.

Given the State's respect for the utility of minority communal autonomy, the civil authorities were hardly likely to jeopardize that autonomy just to collect ecclesiastical taxes. These communities cooperated with the State in collecting taxes in the first place because it suited their interests in strengthening communal authority, and also because civil sanctions were very tangible. But these communities felt no similar compunction to pay tithes to the Latin Church which had no real interest in recognizing the spiritual autonomy of non-Latin hierarchies.

As the Latin's spiritual force did not impress the non-Latins, and the Frankish secular rulers were almost never willing to dismantle their understanding with the native

Christians for the sake of the Roman Church's wants, the Roman Church had no means of entry into the native communities. Indeed, many Crusader barons and kings were loathe even to provide the Roman Church with the incomes she expected from her own children, but withheld tithes collected from Latins and non-Latins alike. So even if the Franks occasionally confiscated or collected taxes and lands from the native Christians, these would not necessarily find their way into the coffers of the Roman Church.[45]

In the face of these difficulties from Latin barons and non-Latin Christians alike, the Roman Church simply set about collecting properties and incomes herself, so as not to be too dependent upon support from tithes. Yet the Church could not give up her rightful claim to her tithes, and if the State was slow to provide the assistance required to collect them, the Church could adjust on the kinds of tithes she demanded. By the end of the 13th century, the Church's tithing laws ceased to insist on personal tithes, and focused on the more collectable property tithes, especially from non-Latin religious institutions which depended on the good-will of the Papacy. This also entailed less controversy: exemptions from personal tithes were made for non-baptized persons of course, but also for heretics and schismatics, categories not easy to determine. Real tithes were callectable from any land in Christian territory, regardless of the affiliation or religion of its owners.[46]

We conclude that during the First Latin Kingdom no particular non-Frankish community was exempted from the tax arrangements designed for the subject population, despite differences among them in the ecclesial sphere. Social status was a more significant indicator of who was more or less liable to various Roman ecclesiastical taxes: rural vilians not at all; freemen partly liable, especially on their income production and less so on their personal possessions; and church bodies of the native Christians the most, for in this realm the Roman Church could exercise the most pressure.

But though all native Christians were liable to the demands of the Latin Church, those escaped them best who had an independent hierarchy, and no history of anti-Frankish/Norman sentiments to be recalled by Frankish civilians. The Greek Melkites happened to come out weak in both regards.

The autonomous laws of the Melkites afforded them little protection from the tax demands of the Franks. But they fared better in maintaining their autonomous courts.

1. "Assises de la Cour des Bourgeois", cap. 243, on market and conveyance dues: in RHC: Lois, vol. II, pp. 179-81.
Edouard Rey Les Colonies franques de Syrie aux xii et xiii siècles (Paris 1883) pp. 262
J. L. LaMonte The Feudal Monarchy in the Latin Kingdom of Jerusalem (Cambridge, Mass, 1932) p. 125.
Claude Cahen La Syrie du Nord à l'Époque des Croisades (Paris 1940) 318, 332, 558.
Steven Runciman, A History of the Crusades (Cambridge) vol. II (1952) 298-99, 321.
Jean Richard Le Royaume Latin de Jérusalem (Paris 1953) 123-6, 131.
Joshua Prawer Histoire du Royaume Latin de Jérusalem (Paris 1969) vol. I, pp. 507-08, 517-18.
M. D. Al-Rais Land Tax and Property Systems [in Arabic] (Cairo 1969) 3rd ed.
Joshua Prawer The Latin Kingdom of Jerusalem (London/New York 1972) 219, 375-77.
Jonathan Riley-Smith "Some lesser officials in Latin Syria" (Eng. Hist. Rev. 342, 1972) 3-4, 11-13, 20-23.
Jonathan Riley-Smith "The Survival in Latin Palestine of Muslim Administration, in The Eastern Mediterranean, (ed) P. M. Holt (Warminster 1977) 13-18.
Hans E. Mayer "Latins, Muslims and Greeks in the Latin Kingdom of Jerusalem" (History [UK] 1978) 178-183.

2. Claude Cahen "La féodalité et les institutions politiques de l'Orient Latin" in Oriente et Occidente nel medio Evo (Roma 1957) 174, 180-81; Riley-Smith "Survival" p. 10; J. Prawer "quelques problems agraires et sociaux" (Byzantion 22, 1952) 20-24.

3. Mayer "Latins" (1978) pp. 177-179. But such general taxes could run afoul of the Church: Pope Innocent III complained of a general tax being imposed in Antioch, for it was done so without distinction according to language and condition; Cahen La Syrie du Nord (1940) p. 558.
Thus, as with their courts, Crusader taxes were ordinarily determined on the twin bases of social status ("condition" = ratio gradūs) and nation ("language" = ratio nationis). See Chapter Ten, Topic 5.

4. Decretals of Pope Gregory IX (1227-1241), in the following collections:
A. L. Richter Corpus Iuris Canonici, II: Decretales Gregorii Papae IX (Leipzig.Tauchmitz 1839) Liber III; Titulus 33 "De decimis & primitiis" pp. 538-542; also pp. 1375-76 [Lateran IV].
Francois L. Maupied Iuris Canonici Universi Compendium (Paris, Migne 1863) vol. I, col. 1356, 1555; vol. II, col. 641, 960-970.

* * * * *

Melchiore Friderich Quaestiones Canonicae de Decimis (Ingolstadt. de la Haye 1710) 23-67, 151-2.

Ioannes de Vita De Origine et Iure Decimarum Ecclesiasticarum (Roma 1759) 32-35, 65-81, 96, 101, 99.

Franz Schmalzgrüber Ius Ecclesiasticum Universum [orig. ed. Rome ca. 1720] reprinted (Rome 1844) vol. iv, p. 82; vol. vi, pp. 663-4; vol. viii, p. 502; vol. x, pp. 240-359.

Philipp Hergenröther Lehrbuch der Katholichen Kirchenrechts, rev. by J. Hollweck (Freiburg, Herder 1905) 884-889.

Johann B. Haring Grundzüge des Katholischen Kirchenrechtes (Graz. Moser 1916) 691-693.

G. LePointe "Dîme" (art) in Dict. Droit Canonique, vol. IV, cols. 1231-1244 (Paris, Létouzey 1949).

Gabriel LeBras "Les institutions ecclésiastiques de la chrétienté médievale" in Fliche & Martin Histoire de l'Église (Paris 1964) vol. XII:1, pp. 255-58.

Antonius Mauro De Ecclesiae Tributorum Iure in vigenti Disciplina (Rome. Desclée 1966) [rev. ed.] pp. 54-57.

A detailed study of the special tithes collected by Rome in Romania (Frankish Greece) during the 14th century is Chapter 6 of Part II of G. Fedalto's La Chiesa Latina in Oriente, vol. I (VErona 1973), entitled "Le Decime pontificie in Romania nel secolo xiv".

In 12th-13th century Europe, many tithes were collected by agents of the Roman papacy, others by state agents, depending on the use to which the tithes were destined, for some were tax-farmed. Latin Palestine was often the recipient of these special tithes collected in Europe. E. Berger St. Louis IX et Innocent IV (Paris 1893) pp. 186-201.

As local tithes were for the support of the local church, they would have been collected by the local ordinaries.

5. Friderich, p. 27. Also see Henry Lansdell The Sacred Tenth (London, SPCK, 1906) vol. I, and chronology of history of tithing, from OT onwards, at end of vol. II. From Otto of Freising's Historia de duabus civitatibus [Chronica], VII:28

> Vidimus...Gabulensem episcopum [Hugo] cuius precipue opere ad plenum Antiochia Romanae Sedi subesse cepit...Balduini Hieros/ani quondam regis filia, querimoniam facientem, quam de spoliis Sarracenis oblatis iure...decimas, qui [Abraham] eas...de suis spoliis Melchisedech dedit, exigentem ac super hoc apostolicae Sedis auctoritatem requirentem.

This occured around AD 1145.

6. To compare medieval and modern theory:

> De terris quas Iudaei colunt, respondemus ut eos ad decimas persolvendas, vel [ad] possessiones penitus renunciandas cum omni districtione compellas, ne forte occasione illa ecclesiae valeant suo iure fraudari.

From a letter of Pope Alexander III to Marseilles in 1170, in CIC, III: xxxiii, cap. 16 (= Richter, vol. II, pp. 541-2).

> Quicumque in paroeciae territorio possessiones obtinent, hoc est baptizati, haereticis et schismaticis minime exceptis; immo per se etiam non baptizati, veluti iudaei et ethnici. Ratio est, quia decimae reales non personam, sed eiusdem patrimonium directe afficiunt, neque Ecclesia suo iure fraudari debet.

A. Mauro (1966) pp. 56-57.

7. "Clericus clericum non decimat", Haring p. 694. Also CIC, III:xxxiii, cap. 10. Delaville le Roulx lists documents from Latin Bishops in the Holy Land which exempted the Hospitaller properties in their domains from the tithe: Mélanges sur l'Ordre de St. Jean de Jérusalem; chpt. xiv "Inventaire de pièces de Terre Sainte de l'Ordre" (Paris 1910) #4(1112), #5(1112), #8(1136), #45(1150), & #71(1160). Les Archives, le bibliothèque, et le trésor de l'Ordre de St. Jean de Jérusalem (Paris 1883), #1(1112).

8. Compare Friderich, pp. 26, 33 (heretics are liable to the tithe), to Mauro P. 56 (heretics not liable), and Schmalzgruber's in-between position, vol. VI, p. 663.

9. Mansi Sacrorum conciliorum...collectio, vol. xxi, col. 261.

10. Friderich, pp. 26-29. Similar arrangements were made in Valencia, for the Muslim subjects of the Christian king, see Robert I. Burns Medieval Colonialism; postcrusade Exploitation of Islamic Valencia (Princeton 1975) pp. 190-192.

11. André Andreades "Public Finances" in (eds) Baynes & Moss Byzantium (Oxford 1948) p. 82, note 3; George Ostrogorsky History of the Byzantine State (New Brunswick, Rutgers 1957) pp. 167, 173, concerning the reappearance of the general civil poll-tax with the hearth tax, under Emperor Nicephoros I (802-811), and the same ruler's payment of a token jizya or poll-tax to the caliph, all evidence from Ostrogorsky's "Die ländliche Steuergemeinde" (1927), also used by Arnold Toynbee Constantine Porphyrogenitus (Oxford 1972) pp. 177-178. See also Montreuil, III, 103-4 on the Roman Capitatio; and comments by Schmid in J. Schacht (1957) pp. 226-227.

12. For Sicily, see M. Amari Storia dei Musulmani di Sicilia, vol. III, (1937 ed.) pp. 256-261. For Palestine, our only reference for Muslims paying the jizya to the Franks is Ibn Jubayr, in his Travels, for the year 580/1184: جزية على كل راس دينار وخمسة قراريط (24 kirats in a dinar). From RHC; Hist. Or. III, 447-448. See also H. E. Mayer "Latins" (1978) p. 181, n. 19, and p. 182, n. 24.

13. On the role of the Cour des Suriens in collecting certain revenues, see Riley-Smith "Survival" (1977) p. 13.

14. The duty of paying the jizya was used by some Muslim jurists to emphasize the shameful condition of Jewish dhimi status (sometimes of Christians too), on religious grounds, not political: see Chapter Fifteen, note 16. On the dhimmi's awareness of this see J. Richard "Le peuplement latin et syrien en chypre" (Byz. Forsch. 7, 1979) 167,170.

15. "Ainsi en était-il de la capitation, qui semble avoir été un impôt général, rappelant la caputation musulmane sur tous les non-musulmans, l'était maintenant sur tous les non-francs du royaume."
J. Prawer Histoire (1969) I, 507

Also in his Latin Kingdom (1972) 377, where he indicates that only the entire Frankish population paid the tithe, but not the native non-Christians, which leaves unaccounted the native Christians. The same view was presented at the Convention of the American Hisotical Association, in New York City, 28 December, 1979, and in his recent Crusader Institutions (Oxford 1981) -

> There is no doubt that all the conquered population entered into the legal status of the dhimmis of the previous Muslim state. Payments of jizya, i.e., capitatio, seem to have been the outward sign of their legal status, paid by all non-Franks regardless of their religious affiliation. (p. 201)

16. Robert I. Burns Medieval Colonialism, p. 191.

17. Such as the δόμα paid by Greeks on Norman Sicily, in place of the jizya; M. Amari Storia dei Musulmani di Sicilia, III, 261 ff. (1937 ed), or the testagium of Lusignan Cyprus; Hill History of Cyprus, II, 8-9, 56.

18. Because some groups of society would not pay two equal tithes -- one to the State and another to the Church -- if they could help it. More important, the origin of head-taxes, their amount and names, were lost in the unwritten customs of the past. These uncertain customs eluded being claimed in any consistent fashion by the Church or by the central civil administration as belonging to them by written law. Robert Burns Medieval Colonialism 195-198.

19. Burns, Medieval Colonialism, p. 190.

20. The Cahen citation is from La Syrie du Nord (1940) p. 332. On similar arrangements in Crusader Valencia, see Burns, p. 192-195. H. E. Mayer leaves open the possibility for landowners to collect a tithe from his peasants directly, rather than including it in their overall dues to him; "Latins" (1978) p. 183.

21. Claude Cahen La Syrie du Nord p. 318. See also Jean Richard "Agricultural Conditions in the Crusader States" in A History of the Crusades, gen. ed. Kenneth Setton, vol. Five.

22. Runciman History, II, 299, 321. The personal tithe (ecclesiastical) was almost never collected in Europe either; LeBras p. 258, and Haring, p. 693.

23. Acta Honorii III & Gregorii IX (ed) A. L. Tautu (Rome 1950) No. 95 & No. 140. John LaMonte "A Register of the Cartulary of the Cathedral of Santa Sophia of Nicosia" (Byzantion V:2, 1930) No. 100 (p. 477). Also in RRH, No. 1345, and MasLatrie, III, 658-9.

24. Our only source for this story of the Armenian immigrants is in Ernoul, cap. iv. See the version in L. de MasLatrie Chronique d'Ernoul et de Bernard le Trésorier (Paris. Soc. Hist. de France 1871) pp. 27-30.

This offer was made, a few decades later, to the Latin Empire at Constantinople, which accepted, and the first of two installments of 15,000 Armenian immigrants entered Frankish territory around 1205. On their tragic fate, see Ernoul, pp. 387-388.

Release from the tithes could be used as an inducement for good behavior, and to win loyalty. Alcuin suggested this motive in his Epistle 110, to Charlemagne, not to burden the newly conquered and converted Saxons with the tithe until they were stronger in the faith --

> Scimus quia decimatio substantiae nostrae
> valde bona est, sed melius est illam amittere
> quam fidem perdere.

Mon. Germ. Hist., Epist. iv, p. 157-8

And perhaps Baldwin II promised freedom from tithing to the Christian farmers he tempted away from Moab to settle around Jerusalem in 1115.

25. Mayer "Latins" (1978) p. 184; Mayer Bistümer, Klöster u. Stifte, 349-353.

26. Thoros' final statement is "les Arméniens ne viendraient par sur la terre d'autrui pour y être serfs", Ernoul, 29-30, which may mean not that they would be serfs, but their tax category would be tantamount to that of serfs, or that Thoros interpreted the tithe like a capitation. See analysis by R. Grousset Histoire des Croisades, vol. II (Paris 1935) pp. 602-604, where he also decides that Rome was not consulted, for if she had been, she would have found in the Armenians' favor.

27. In the Byzantine tradition, there is some confusion between firstfruits (karpophoria; usually ecclesiastical) and tithes (dekaton; usually civil), especially as the civil rural tithe has little written tradition (see comments by Schmid in

Schacht (1957), cited in this Chapter, note 11).

Lansdell (1906) and deVita (1759) offer many indications of tithing in Byzantium before the 9th century and again in Latin-occupied areas. We are presuming that such practices disappeared in Muslim areas and were never revived, save for a time perhaps in 11th century Byzantine reoccupied Syria & Cyprus.

Emil Herman "The Secular Church" notes only that a canonicon or church tax was enforced in Byzantium in the 11th century. Otherwise, the Greek Church was largely maintained by endowments and fees; many lower clergy carried on their own trades or businesses; [= Chpt. 23 of] The Cambridge Medieval History, vol. IV:2 (1967) pp. 121-125.

deVita's citations from Photius' Nomocanon show that the tithe had fallen into disuse in many Eastern regions, p. 140, though firstfruits, a less formal gift, remained common practice, pp. 144-5.

In 1250, however, the Greek bishops on Lusignan Cyprus asked Pope Innocent IV to have some of the tithes they were paying to the Latins assigned to them instead; Acta Innocentii IV, (ed) M. Wojnar & Th. Halusčunskyj (Rome 1962), No. 74; and G. Hill A History of Cyprus, vol. III (1948) pp. 41, 46-47.

Had these Greek bishops collected such tithes before the Frankish takeover? See also Peter Charanis "The Byzantine Empire in the 11th Century"[= Chpt. vi of] The First Hundred Years (ed) M. Baldwin (Philadelphia 1958), esp. pp. 204-206.

28. See ahead, note 40; and the Jacobite terms in the following note (29). On the Maronites, see S. Beraud "Liste des prélats maronites" (Kypriakai Spoudai, 34, 1970) 13-18

29. In the terms laid down to the Pope by the Jacobite Patriarch Ignatius in 1247, the revenues of the Jacobite churches and monasteries were to be exempt from the Latin dîme; E. Rey (1883) p. 80.

30. L. de Mas Latrie Histoire de l'Île de Chypre sous les Lusignan (Paris 1855-1891).

L. de Mas Latrie "Histoire des Archévêques latins de l'Île de Chypre" (Archives Or. Lat. 2, 1884) pp. 207-328.

J. Hackett A History of the Orthodox Church of Cyprus (London 1901).

John L. LaMonte "A Register of the Cartulary of the Cathedral of Santa Sophia of Nicosia" (Byzantion 5, 1930) p. 439-522.

George F. Hill A History of Cyprus, vol. III (Cambridge Univ., 1948) Chpt. 16.

Pontif. Commis. ad Redig. Codicem Iuris Canonici Orientalis; series III "Fontes" vol. I Acta Roman Pontif. a S. Clemente I ad Coelestinum III (ed) A. Tautu (Vatican 1943);

vol. II Acta Innocentii III, (ed) Th. Haluščynskyj (Vatican 1944)
vol. III Acta Honorii III & Gregorii IX (ed) A. Tăutu (Vatican 1950)
vol. IV:1 Acta Innocentii IV (ed) Th. Haluščynskyj (Vatican 1962)

Jean Richard Chypre sous les Lusignans (Paris, 1962), part 2: "Le diocèse de Limassol, 1367" (= pp. 61-120).

Harry Magoulias "A Study in Roman Catholic and Greek Orthodox Church Relations on Cyprus, 1196-1360" (Greek Orthod. Theol. Rev. 10, 1964) 75-106.

A. I. Dikigoropoulos "The Church of Cyprus during the period of the Arab Wars, 649-965" (Grk. Or. Theol. Rev. 11, 1965) 237-279.

Joseph Gill, sj "The Tribulations of the Greek Church in Cyprus, 1196-1280" (Byz. Forsch. 5, 1977) 73-93.

31. See Chapter Thirteen, note 44.

32. LaMonte, No. 2; Tăutu Acta Roman Pontif. No. 398; confirmed in 1221, per LaMonte, No. 15 & 18, and Tăutu Honorii III, No. 85.

33. Mentioned in a document from 1223, in Tăutu Honorii III, No. 108, and repeated in the final settlement of AD 1260, LaMonte, No. 91, and Gill, pp. 89-90.

34. Haluščynskyj Innocentii IV, No. 79, 102, 103; Gill, 84-88; Laurent "La Succession Episcopale" (REB 1949) 33-41.

35. See the papal letters to the Latin hierarchy in Syria, in Tăutu Honorii III, No. 132 & 140. Also Mas Latrie (ACL 1884) 208. Hill Hist. Cyprus, notes that many vilains, paroikoi, paid a head or poll-tax also; II, 8-9:III, 1043-1044.

36. LaMonte, No. 100.

37. In 1232, see doc. No. 36 in LaMonte. In 1255, the barons are accused of still withholding tithes, LaMonte, No. 87. Also Gill, 77-78.

Rome also used the argument, as in Palestine, that the Latin clergy inherited all the properties on Cyprus which were formerly held by the Greek clergy; LaMonte, No. 20, an argument going back to P. Alexander II's "Si pastores ovium" of AD 1067 [= Jaffé-Wattenbach, No. 4628, and in Migne, PL, t. 146, col. 1323]. On the resistance of the Latin barons, see important remarks of Mas Latrie in (AOL 1884) 217-218, and Hill, III, 1051-1055.

38. LaMonte, No. 23; Tăutu Honorii III, No. 108. Prince Bohemond V is also accused of doing this in Antioch, Tăutu Gregorii IX, No. 247.

39. Magoulias, 94;
La Monte, 480, no. 104.

40. LaMonte, No. 19; Tăutu Honorii III, No. 88 & No. 95, and the famous oath taken before the Latin Archbishop Hugh of Nicosia, in the city cemetary, by all the Oriental Christians, in AD 1251; Haluščynskyj Innocentii IV, No. 78. Similar efforts were made to insure the submission of all the Oriental Christians on the island in 1340 and 1360, Magoulias,95.

41. LaMonte, No. 52; Haluščynskyj Innocentii IV, No. 1 & 74, for exemptions on land. This occured frequently among the Greek monasteries of Sicily, Tăutu Honorii III, No. 3, 26, 43, and Gregorii IX, No. 200.
On exemption of Greek clergy, see Gill, p. 75, and Richard, Chypre p. 74, and Hill, III, 1043, n. 2.

42. Schlomo Spitzer "Die jüdische Gemeinde im Mittelalter; Institutionen, Kompotenzen, und Aufgaben" (Kairos xxi:1, 1979) esp. pp. 49, 54, 59.
For Spain, Robert I. Burns Medieval Colonialism (1975) pp. 17-20, 191-2, and 213, and John Boswell The Royal Treasure, Muslim Communities under the Crown of Aragon in the 14th Cent. (Yale Univ. 1977).
For Sicily, Neumeyer (1901) 261-271, and M. Amari, vol. III:1 (1937 ed.), pp. 262-272. See also Chapter Three, topic 3.

43. Friderich (1710) pp. 26-27; and Peter Brown on St. Augustine's justification of the use of coercion by the Church, in a 1964 article included in Religion and Society in the Age of Saint Augustine (New York, Harper & Row, 1972) esp. pp. 266-267.

44. On the pattern of Church use of State coercion, from the 4th century onwards, see Jean Gaudemet L'Église dans l'Empire Romain (1958) esp. pp. 501-506, 602-616.

45. Canon 53 of Lateran IV:
In aliquibus regionibus quaedam permixtae sunt gentes, quae secundum suos ritus decimas de more non solvant, quamvis censeantur nomine christiano. His nonnulli domini praediorum ea tribuunt excolenda, ut decimis defraudantes ecclesias, majores inde reditus assequantur. Volentes igitur super his ecclesiarum indemnitatibus providere, statuimus ut ipsi domini talibus personis, et taliter, sua praedia excolenda committant, quod absque contradictione decimas ecclesiis cum integritate persolvant, et ad id, si necesse fuerit, per censuram ecclesiasticam compellantur. Illae quippe decimae necessario sunt solvendae, quae debentur ex lege divina, vel loci conseutudine approbata.

In Hefele-Leclercq, vol. V:2, pp. 1375-6; also in Corpus Iuris Canon. Lib. III, Tit. xxx, cap. 32.

Refer to our examples of Crusader secular lords providing or not, the Latin Church with incomes, in Chapter 14, topic 2.

46. Mauro, 56-57; Hollweck, 887, n. 5; and Schmalzgrüber, vol. III, 30, §1, 19, in addition to note 10 (above).

CHAPTER TEN:

The Civil Structure of the Melkite Community: The Native Courts

The Cours des Suriens which the Crusaders recognized had already been in existence for centuries. The native courts of the Christians were one of the most tangible means by which the Christians of the Muslim East had asserted and retained their communal identity and autonomy, like their Jewish neighbors. But we suggest that the Franks recognized and organized the courts of their native subjects along different criteria than had the Muslims before them.

This survey will reveal the juridic structure of the Kingdom for what it was, a careful blend of Oriental and Western views of personal identity. This combination has not been clear to some researchers, because the externals of the earlier system were retained. However some contemporary texts provide the clues to the way in which Frankish racial criteria replaced the religious ones of Islam. The different development of personal law in post-Roman Western Europe and in the East accounts for the nuances introduced by the Crusaders.

Our first task will be to describe the judicial system of the Crusader Kingdom and to situate the Melkite and other community courts within that system. Then we will examine the criteria by which the various community courts were distinguished from each other, and how persons were assigned to the courts

appropriate to their personal and social identities.

A summary of the Frankish and Muslim/Arab traditions of social identity, of personality of laws, and of inter-sectarian litigations will reveal the prevalence of the racial criterion used by the Franks to distinguish their courts from those of the natives. This temporarily replaced the religious criterion the Muslims had preferred to use.

1. The Judicial System of the Latin Kingdom[1]

We begin with the crown of the Kingdom's courts, the High Court. This Haute Cour (Crown court) and the related seigneural courts sat in 25 cities and towns from Gaza to Beirut.[2] They dealt with the responsibilities and relations between the king and the chief lords, their vassals, and with matters involving the life and limb of free subjects.

For ordinary justice, the king and the major barons deputized a viscount to preside over a Cour des Bourgeois. These courts sat in at least 35 to 40 centers in Latin Palestine with jurisdiction over all freemen of the land. All Franks were freemen as well as all city dwellers, except slaves of course.

The Cour des Bourgeois applied a form of Roman law which was current in southern France, and in general matters of criminal law and taxation all freemen were subject to it. In matters of personal and family law, it heard cases between Franks and mixed cases involving a Frank or two non-Franks, if the latter would not accept each other's community law.

Three other court systems handled specialized cases or clients. Special courts were set up for commercial matters, presided over by a bailli. This Cour de la Fonde had six jurors, two Franks and four Syrians (= native Christians, probably not Muslims), the bailli also being a Frank.[3] The marketplace remained the common locale of mixed litigation among members of different communities, and the prevalence of customary law enabled them to use this single legal forum.

The law applied in Frankish commercial courts was generally familiar to the native Christians, Muslims, and Jews, for the Christians had adopted Muslim practices in commerce (or vice versa!), and both were dependent on Syro-Roman customs, as were the Franks.[4]

The Cour de la Mer, or de la Chaine, as its name indicates, was concerned with maritime litigation. The Cour des Syriens was simply the name for all the native courts which continued under the Franks. Each of these specialized courts was responsible for the allocation and collection of the taxes and dues coming under its jurisdiction.[5]

Cours de la Fonde were to be found in the same locales as Cours des Bourgeois; Cours de la Mer in the major coastal cities; and Cours des Syriens in a few cities (where not absorbed into the market courts there) and in large rural settlements.[6]

Indigenous Christians and Muslims were dominant in rural areas, but the intervention of the Frankish lord's represen-

tatives, or the petty nature of the cases heard there, inhibit us from applying the term "court" to the processes of rural and village justice.

The courts of the Kingdom were thus divided into Frankish (Haut Cour and Bourgeois), native (Cour des Suriens), and mixed (Fonde and Chaine). The first two groups were organized on the basis of civil status, which was the dominant standard. The third type existed because of the overriding importance of the site of certain legal acts where men of all conditions met, the marketplace and the sea.

But even this distinction is too simple, and fails to distinguish the different ways of determining civil status.

2. Jurisdiction of the Courts

It is customary to set the jurisdiction of courts according either to the status, rank, or character of the litigants (ratio personae), or to the nature of the act committed, its locale, or the objects and property involved (ratio actūs or materiae).[7]

Each criterion allows subdivisions. The crucial distinction in the Latin Kingdom was in ratio personae, from which were derived the criteria of social rank and nationality. The range of other subdivisions of the two basic criteria as they existed in 12th century Palestine is given in Topic 4. This combination of two types of personal legal determination came about because the Crusader East effected a mélange of Franco-Roman and Islamic legal criteria, which we will explain in

Topic 3. First we will review the different kinds of courts with regard to the criterion by which their jurisdiction was circumscribed. The reader will see that three were used: (1) the act, (2) the social status and (3) the nationality or race of the litigants.

The High or seigneural courts, and the burgesses courts were distinct because each was concerned with different kinds of law, feudal obligations for the one, and common contractual law for the other. But this material distinction coincided with one of social rank and responsibility, for the lords and burgers were exclusively of the ruling caste of the Franks.

The two commercial courts (de la Fonde, and de la Chaine) were specified re materiae for land and sea mercantile transactions, with no respect of differences of personal status among freemen.

Criminal cases, especially those liable to capital punishment, if they arose in one of the lower courts--native or commercial--were handed over to the burgesses court or the seigneural courts.[8] This was a normal medieval practice whereby serious criminal cases (ratio materiae) overcame distinctions of legal forums set by social status (ratio personae).

But the fact of the existence of the native courts shows that nationality was a social and legal determinant, in addition to res materiae and res personae. The Frankish and native peoples each had their own court system because they belonged to different nations or races. Within this national legal system, separate jurisdictions could exist ratio materiae or

ratio personae. But overlapping did occur, both among the Franks (as we've seen) and among the natives.

The native vilains of the land were subject to their lord (Frankish or other) in matters concerning him (property, taxes) and to their own customary leaders for problems within their community. To the extent that the various indigenous peoples (Sunni and Shi'a Muslims, Samaritans and Jews, Maronites, Syrian Greeks and Jacobites, etc.) lived among their own kind and not mixed, the village headman, rais, or assembly applied only the customs of their own community.[9]

The native Christians who were freemen were restricted to their own courts by reason of their "nationality", but deferred to the mixed courts for some types of criminal and commercial cases. Their first identity was as a Melkite or Jacobite, not a merchant or farmer, soldier or physician.

The decision of Prince Godfrey, or of King Baldwin I, to recognize the authority of the native courts was inevitable and natural. The decision was natural because of the historical formation of the Franks and Melkites, a formation different in each case, but having a crucial feature in common -- personality of law.

3. Eastern and Western Traditions of Personality of Law

The nine nations of the Crusader realm -- Franks, Greeks, Armenians, Syrians, Nestorians, Jacobites, Samaritans, Jews, and Saracens -- were identified by their possession of and adherence to their distinctive laws. But the Franks and their Levantine

subjects came by their laws via quite different routes. The Frankish caste had been formed first by race, while Jews, Muslims, and Oriental Christians acquired their identities according to religious affiliation. We will briefly review the development of legal pluralism and legal personality, among the Franks in the Christian West and among Muslims and their dhimmis in the East.

a) Early medieval law in Western Europe -- that familiar to the Crusaders -- was an overlay of barbarian tribal codes upon Roman law.[10] As the various tribes began to intermingle within common territories especially after the Carolingian period, the notion of the *personality* of law was accepted to insure clarity about a person's legal status. Personality meant that a person acquired his own law code as a birthright from the people among whom he was born,[11] wives acquiring that of their husband's temporarily or permanently. No matter where this person lived or moved thereafter, the law of his birth was that alone under which he was to be tried.

But this concept is not univocal. While personality is contrasted to *territoriality*, both concepts are based on the same historical experiences; a particular people in a particular place apply their particular laws -- lex fori and lex rei sitae coincide.[12]

But a people who eventually lose a sense or reality of a homeland will find it hard to maintain their distinctiveness or insist on being treated by their own laws if they are "outsiders" everywhere, for they will be anxious to adopt some

one of their neighbors. So historically something else helped support personality of law, and that was power, or superior status.[13]

Thus Lombards or Salian Franks were able to insist that their members remain subjects of Lombard and Salian law regardless of where they lived or travelled, because each race had a homeland[14] where their national/tribal law was the law of the land, imposed on outsiders who lived or travelled therein.

In addition however, the Lombards and Salian Franks were, at different times and places, a ruling caste and therefore could enjoy both modes of law: (1) a law with territorial integrity in the homeland, and (2) a law with personal integrity for its members outside the homeland.

In a similar way, Roman law was the Landesrechts of the City of Rome, but became applied to all clerics anywhere on the basis of ratio personae, because of the ability of the Papacy to insist on this.

Then as racial, national, tribal distinctions became less significant due to the universalizing pressures of the Western Emperors and other centralizing monarchies, personality of laws often remained in effect anyway, but now on the basis of social status.[15] For example, Lombard feudal lords and knights could retain Lombard law for themselves under Norman rule, whilst Lombard clerics and merchants became subjects of Roman or other local and common laws.

This social status determinant was crystalized in the various Norman principalities of France, England, Italy and Sicily and later in the Levant. As for the Normans, their social dominance in these regions pulled them in two directions, racial exclusivity and administrative uniformity. Like their Frankish predecessors, the Normans retained their own laws for members of their race and did not impose it upon their non-Norman subjects. Accordingly they respected the diversity of laws among their subjects and accepted the personality of laws of others, such as the Lombard noble class.

But like their Lombard predecessors, the Normans used Roman and other customary law in addition to their own to erect a common law for their realms, if they could. That is, if the relative homogeneity of the region was favorable, a uniform law for all subjects was encouraged, as it came to be in England and Normandy and portions of southern Italy. In Cyprus, Greece, Antioch and Jerusalem, the racial mix was not suitable for such an attempt. This new common Landesrecht would not, of course, do away with legal distinctions corresponding to differences in social status and rank, just national ones.

As Western Europe moved into the High Middle Ages, personality of laws was more and more restricted. Administrative centralization eroded personal laws based on racial/tribal origins in favor of territorial law, and new classes based on socio-economic roles acquired and guarded their particular

legal privileges. But at the time the First Crusade began its eastward trek, nation and race, as identities acquired by birth, were still the strongest values in the administrative and social spheres, especially in the realm of personal status customs and laws.

b) In Part One, we described the formation of confessional legal communities among the dhimmis, encouraged by the Islamic expectation of the universality of religious law as a criterion of social and personal identity. Now we need only emphasize some more detailed Islamic legal criteria to match the paradygm we have set up for Frankish legal development.

The bases of Muslim law are quite unique, but Islam approaches legal stratification quite the same as it happened among Western Europeans. During the early decades of Arab domination in the Levant, legal subjects were distinguished ratio personae according to gender (male or female), as free or slave, and by religion.[16] Thus all free male Muslims were subject to the same laws in the same courts, and these laws were theoretically derived from the Sacred law of the Qur'an and sunnah. Even the three legal distinctions within ratio personae -- gender, servitude or freedom, and creed -- are colored by the Qur'an's values.

But this religious tradition failed to provide a sufficiently detailed or flexible law for criminal, administrative, and commercial problems. So special courts and functionaries were developed for these jurisdictions to accomodate such cases, which are identified ratio materiae, by the nature or site of

the act, not of the litigants.

Later, when the ruling castes came to be composed of various Turkish tribes, these new castes retained their customary laws for their own members in all matters, save (being good Muslims) in the essentially religious aspects of Islam. So in matters of conversion and apostacy and the five pillars of Islam for example, they conformed to the shari'ah. This is an example of the durability of social or racial élitism in ratio personae against the hegemony claimed by religious values.

The non-Muslim dhimmis were free to follow their own customary laws, but inasmuch as they were categorized according to religion (Jew and Christian), their leadership was drawn from religious cadres and their laws from their Scriptures and religious canons. These religious codes were blind to social distinctions, and this legal democracy was encouraged by the fact that Christian dhimmi courts were one-tiered and adjudicated mostly personal status problems and minor contractual cases.

In the Muslim East, religion alone justified legal plurality and diversity. The imperatives of the Qur'an continually checked the advances of racial and national identities among the non-Muslim protected peoples as among the peoples newly converted to Islam. Only in the semi-autonomous areas of administrative and commercial law could national customs entrench themselves for a time.[17] But personal status customs were jealously reserved for religious law.

4. The Legal Criteria of the Latin Kingdom

We can now see how the historical arrangements designed for the Kingdom of Jerusalem combined these two legal traditions. The Frankish ruling caste isolated itself legally from its subjects on a variety of criteria:

RATIO MATERIAE:
1. Feudal laws, to the seigneural and royal courts.
2. Commercial matters, handled by the mixed and commercial courts (an innovation ? see ahead, topic 6)
3. Serious criminal cases, heard by the higher courts which were run by the ruling caste of Franks.

This arrangement was familiar, mutatis mutandis (e.g., feudalism), to Western Europe, Byzantium, and Muslim states.

RATIO PERSONAE:
1. Ratio Genūs; male or female.
2. Ratio conditionis; slave or free

These two criteria were also common to all traditional societies and courts.

3. Ratio Gradūs; among freemen, such classes as nobility (seigneural courts) and bourgeois (cour des bourgeois). This criterion was less significant in Islam.
4. Ratio Religionis; Muslims and Jews had their own laws and courts, save in criminal and some commercial cases. This was the same in Islamic and Byzantine areas and in Western Europe. Christians had no single court system for themselves qua Christians; their courts were determined ratio nationis.
5. Ratio Nationis; Franks and non-Franks. Like the religious criterion, national law was largely restricted to laws of personal status. Among Muslims, religion and nationality coincided in Frankish

territory. Among the Christians, nation coincided with confessional/sectarian boundaries.

In Frankish Palestine, as in other medieval societies, the last three criteria often overlap: the noble classes (gradus) were almost exclusively Franks (natio) and Roman Catholic (religio). In the theoretical values governing Islamic societies, legal status (and less so, social mobility) was more fluid, because one of the principal legal distinctions -- religion (Islam) -- could be adopted by an act of the will, and entailed social and legal improvements. Race/Nation and social status were not of such practical importance in Islam as in the feudal colonies of Europe (see p.286, ahead).

The domination by a racial caste, as of the Turkish warriors in the medieval and early modern Muslim world, was paralleled in the Frankish Crusader colonies, whose ruling caste maintained racial and social privileges which were less open to outsiders. For instance, a change of religion by a member of one of the heretical or schismatic Christian sects to Roman Catholicism would not have much effect on that person's legal standing in the Crusader court system, though such a change would be partly reflected in taxation, and in social status outside the court.[18]

Simply put, the fifth type of legal distinction by personality -- race/nation -- had as great institutional support as the fourth type, religion.

The Melkites were primarily a religious community, or were they? Was their social and legal status really determined

by their faith?

It was once believed that the "Uniate" oriental Christians (meaning either the Maronites or the Melkites or both) had equal civil status with the Franks, and this equality was attributed to the Church Union which was in effect between the two communions.

This claim was based on the assumption that religious identity primarily determined civil status, in the East as in the West, in the Dār ul-Islām as in Christendom. Therefore "Uniate" status in religion between Latin and Oriental Chalcedonians would be matched by civil equality between Franks and the native Christians, "Suriani".

One test of such claims is to see how the native courts were arranged, in particular the criteria which determined the jurisdiction of certain courts over inter-sectarian cases. It is precisely inter-sectarian litigation which isolated the Melkites from all other Christian sects, so that we can look here for any legal ramifications stemming from Church Union.

5. Inter-Sectarian Litigation

We begin our investigation by looking at the classical Muslim model for inter-sectarian litigation among dhimmis, and then we will compare this to the Frankish system in Palestine.

a) The Classic Islamic Model

Part One of this thesis has described how the various Christian communities of the Muslim East (8th-12th centuries A.D.) were delineated by doctrinal conventions, and possessed

full legal autonomy to the extent that they had a civil law of their own which was extensive and practical.

We've seen that the Nestorians and Jacobites and others adopted many features of Muslim law in order to discourage their members from having recourse to shari'ah courts, especially in those legal areas not adequately covered by Christian communal law or custom. The courts of the dhimmis were for the use of each sect's own members, so it was mixed cases which presented problems. The following Table will illustrate the range of mixed cases and how courts were chosen by the litigants [from Chapter Three, topic 2].

Litigants, Ratio Personae	Courts, Ratio Materiae
Muslim mixed; a Muslim and a non-Muslim	Shari'ah or Shurṭa Islamic courts
Non-Muslim mixed (inter-religious); a Jew and a Christian, e.g.	Parties must decide; either a Muslim, Jewish or Christian court, unless a criminal matter (to shurṭa) or commercial (to muḥtasib)
Christian/Jewish mixed (inter-sectarian); a Nestorian vs. Jacobite, or Jacobite vs. Melkite, e.g.	Parties must decide; either a court of one or the other's sects, or to the Muslim courts
Dhimmi non-mixed (intra-sectarian); Melkite vs. Melkite, e.g.	Melkite communal court, e.g.

The third and fourth categories are not differentiated in Muslim law as they are both inter-sectarian; that is, differences between Nestorians and Melkites, or between two Melkites, are yet all between Christians. The shari'ah could mediate between the Taurah (Law of the Jews) and the Injīl (Law of the Christians), but if Christians had variants within the category

of Injil, this was of no concern to the Muslim community. The Christians had to make their own sectarian arrangements to deal with such legal differences. Thus Islamic notions of Taurāh and Injīl were paramount and overrode racial or linguistic or customary differences among the adherents of those two basic laws.

There are no mixed courts as such in Islamic law. A judge could only adjudicate by his own law; no formal juries or lawyers existed. The ruler and perhaps the market superintendent (muḥtasib)were free to decide cases according to custom, which could ignore communal divisions.

In Chapter Three, Topic 2, we suggested that one area of cooperation among the Christian sects was in this area of inter-sectarian litigation. Without the interference of Islam, how did the different sects implement their compromises over inter-sectarian disputes at law?

We've noted that the Nestorian, Melkite, and Jacobite civil codes had much in common. Did such similarities simplify the decision of picking one of the litigant's courts, or did confessional antagonism inhibit such cooperation?

The fact that mixed litigation arose at all shows that Melkites, Jacobites, and Nestorians, etc. were business partners, related by marriage, common witnesses to events and documents, and friendly enough to be remembered in bequests. Confessional animosity was often bridged, despite admonitions from the hierarchy.[19]

In fact there may not even have been a choice of sectarian courts at all times. Despite the propensity to live with one's own, Christian sectarians often found themselves a minority in a village or a region dominated by a rival sect, so small a minority such as not to possess the expert personnel needed for a court. In many cities, the dominant sect often exercised an unofficial hegemony over all Christians in civil law; but nothing prevented the minority litigant from taking his (mixed) case to the mosque. In short, dhimmis had to shift for themselves in inter-sectarian cases, because Islam only took into account the gross religious boundaries in recognizing dhimmi courts and laws. These gross religious boundaries coincided with the legal boundaries recognized by Islam. Jews and Christians each comprised a separate dīn/faith community, hence legal communities; Melkites and Jacobites, however, were part of the same dīn/religious community in Muslim eyes, hence of the same legal community.

Despite this lack of encouragement, the Christian denominations built unofficial legal walls between each other, and the Christian Franks did nothing to dismantle them.

b) Inter-Sectarian Litigation under the Franks

What did the Crusaders do to this system? The same structure was kept, but the criteria of discrimination were altered.

Mixed cases involving a Frank were heard according to the latter's justice; mixed commercial cases among freemen were subject to the commercial courts with mixed juries. We

will ignore marginal mixed cases, such as disputes over rural income or property between non-Frankish freemen of differing communities. These persons had to involve their respective lords to settle the matter. If the mixed case involved vilains, the dragomen or scribes in charge of the properties might settle according to their own local customs, as these officials were usually natives.[20]

This leaves for us all the other types of social and legal intercourse among persons of different legal communities.

Litigants, Ratio Personae	Courts, Ratio Materiae
Frankish mixed; a Frank and a non-Frank	Frankish seigneural or burgesses court, unless commercial (to mixed market courts
Non-Frankish mixed (inter-national); a Jew vs. Muslim, or Muslim vs. native Christian	To appropriate Frankish court according to type of case and social status
Christian/Jewish mixed (inter-national or inter-sectarian); Melkite vs. Jacobite, e.g.	As above, but in cases concerning personal status etc., parties free to select one or the other's communal court (Cour des Suriens)
Native non-mixed (intra-sectarian); Melkite vs. Melkite, e.g.	The specific native court for the Melkites

In Islam, the legal capacities of the mixed litigants were first determined ratio religionis, and within each mixed category so fixed, the specific courts were decided ratio materiae. In the Frankish context, we see that the second and third categories are the same, inter-national or inter-sectarian, whereas Islam joined the third and fourth categories instead. The Franks had no particular legal interest in grouping their

native subjects under the broad headings of Jews, Muslims, and Christians, without regard for the sects within each. A Jacobite had as much legal distinction from a Melkite as did a Jew from a Muslim. That is, a Jacobite's legal status was not first determined by the fact that he was a Christian and then sub-determined by his sectarian identity. His identity as a Christian Jacobite was just as integral as that of a Karaite Jew.

We call this criterion ratio nationis (see page 275). After this determination by nation, the appropriate court was decided by the criteria of social status (knight, burgher, vilain, etc.) and by the nature of the case (criminal, commercial, property, etc.).

Islamic values favored religious/confessional categories which made room for only the major groupings of non-Muslims (Jews, Christians, etc.) and encouraged law and religion to be mutual supports to maintain the autonomy of the dhimmis. This religious vision preferred to ignore the sectarian divisions of each dīn/faith. But the partnership of law and religion (eminating from both Judaism and Islam) did not prevent the Christian dhimmis from enhancing their confessional peculiarities with equally peculiar laws. In this way the Christian sects fought law with law, and bolstered their sectarian divisions in the face of the feeble Muslim vision of the cohesiveness of all Christians.

The native Christians faced quite different policies after 1099. The arrangements of the Frankish courts show us

that the Crusaders viewed the diversity of confessional communities (Jacobites, Armenians, Melkites, etc.) not as degenerate mutations from a pristine Revelation, but as natural ethnic communities with the essential accouterments of law and leadership. One might suppose from this that the Crusaders had less of a vision of Christian unity than did the Qur'an. However the Crusader acceptance of sectarian legal pluralism among their Oriental Christian subjects did not come about because they cared nothing for Christian unity. On the contrary, the Franks were merely not persuaded that the basic unity among Christians of differing nationalities had any inherent influence upon law or social autonomy.

Before we describe further the intricacies of the Frankish view, we should consider the extent of the jurisdiction of the mixed courts in the Latin Kingdom. These seem to have had a larger scope than in the Islamic tradition, and if so, they would mitigate the severity of the racial/national categories applied by the Franks to their native subjects.

6. Mixed Courts and Communal Courts

Were there formal or informal mixed courts to sort out inter-national cases, especially those between Christian sectarians? There are two contestants for this role, the Market Court and the Syrian Court.

a) The existance of the Cour de la Fonde could not have been an institution concocted by the Franks nor unique to Frankish Levant. If it existed in pre-Crusader times, as

is highly likely,[21] we can expect that the mixed jurors and mixed litigants were bound by the same restrictions on oaths and witnessing then as in the later periods. In the Market Court, each person giving testimony swore by his own nation's Holy Book, was accused and defended by his own nation's members, the jurors alone being mixed, and the law was largely customary. What is unique about the Crusader Cour de la Fonde is that the sectarian divisions among Christians were written into law, while the Muslim shari'ah gives consideration only to Jews and Christians as such.

Chapters 59-65 of the Assises of the Cour des Bourgeois[22] list the nine nations of the Latin Kingdom: Franks, Grifons [= Greeks outside Byzantium],[23] Erminians (Armenians), Syrians, Nestorians, Jacobites, Samaritans, Jews, and Saracens (Muslims). None of these can swear oaths or make guarantees for or against each other in the Burgesses' Court. Admittedly, these national tags are sometimes ambiguous.[24]

The Cour de la Fonde recognized these same national distinctions, but unlike the Burgesses' Court, testimony was possible across national boundaries. How else would court business have been settled? Though not specifying what court jurisdiction was involved, Pope Honorius III in 1221 granted to the Latin chapter of the diocese of Apamea -- in exile from their See since around 1148 -- the privilege of utilizing testimony of all native Christians equally, on the same status as testimony by Franks, as many property cases were insoluble otherwise.[25]

So in commercial and transactional litigations adjudicated by common or customary law, the Market Court was indeed a common court for mixed cases.[26]

b) The Frankish Assises speak only of the Cour des Suriens. This does not denote a common native court system, but rather a category within which each "nation" ran its own courts, as we've noted in Chapter Nine, Topic 2.

From a legal point of view these native courts were not common mixed, because each community had quite different laws and customs, for marriage and divorce, adoption and guardianship, inheritance, baptism, ecclesial descipline and vows, even on contracts and oaths. What was unofficial under Islam, became official under Frankish rule: litigants from different sects (within the same religion) had to opt for one or the other's forum, or lay their case before a Frankish judge and be tried by Frankish law, except for cases appropraite for the Market Court. Among the native Christians in the First Latin Kingdom, only the Armenians, Jacobites, and Melkites are likely to have had their own courts.

So only the market court, the Cour de la Fonde, functioned as a mixed court, not the native courts of the Syrians. This is hardly different from the pre-conquest arrangements allowed by the Muslim regimes in Syria and Palestine. Consequently, the sectarian plurality of the Crusader judicial system was nearly universal, with few common arenas where sectarian distinctions could be ignored. The major exceptions were for mercantile cases (res materiae) and native nobility

(ratio personae) who could meet with their peers in court despite differences in religion.

7. Nation and Citizen: the True Basis of Crusader Legal Criteria[27]

We are now ready to probe into the Frankish mentality to learn what it was that prompted them to prefer ethnic categories over religious ones. The former distinguished them from their native subjects while the latter might have united them to a few (the Melkites). We have of course just now provided the clue. The Franks preferred to distinguish themselves equally from all their subjects, and so all of their subjects were first categorized ratio nationis as non-Franks.[28]

The Frankish Kingdom of Jerusalem was officially *Latin* and the European settlers to the Holy Land were the only true "citizens" of the realm (see Chapter Thirteen, Topic 5, and note 46). Yet these settlers had little in common with each other, as "Frank" indicated anyone from Western Europe. But what they had in common was important. Franks were racially mixed but they were not Semites, Turks, Greeks, or any other Oriental race. They were culturally Latin as heirs of a West Roman civilization blended with their own regional cultures. Their languages were many but their educated élites knew Latin and not (at first) Greek, Arabic, or Syriac. Their religion was the same for all, Roman Catholicism, and not any of the Eastern Christian traditions.

If their religion was the most consistent distinction of Franks from non-Frnaks, we might expect religion to be the

principal determinant of civil status. But the Frankish élite was primarily European as well as Catholic. This racial consciousness was a more potent and pervasive indicator of social status than religion.

As colonial rulers, the Frankish ruling caste had no wish to share their privileges with any of their subjects, Christian or otherwise. On equally practical grounds, the eight subject nations had their own laws and had no desire to be subsumed into the Frankish legal network.

Only serious criminal cases and certain common market-place issues were considered in legal forums without regard to the litigant's nationality or social status. The Crusader Franks accepted the variety of courts and the personality of laws enjoyed by their subjects, because this arrangement, molded by the requirements of Islam, was so practical.

The Franks digested this foreign pattern by replacing religious terms with racial identity. This was more familiar to them and clearly defined them as the ruling caste.

The use of law to express both racial and religious identities allowed the Franks to recognize the existing communal boundaries of their subject easily; the single vehicle of law carried both Frankish national aspirations and the religious ones of the native Christians.

Furthermore, race alone insured the élitism of the Franks. The combination of social status (freemen, bourgeois, nobility), race (Frankish, widely construed), and religion

(Roman Catholicism) as the identity of the Crusaders almost guaranteed them isolation from their subject peoples. But race was the most exclusive of all as it alone could exclude say, a Melkite merchant or an Armenian knight.[29]

Now to the extent that the Franks thought in terms of nation and not religion, any common features in religion between the Roman Franks and the Melkites had less power to determine legal status.[30]

The basic distinction among Levantine Christians was that between Chalcedonians and non-Chalcedonians, or from the Western point of view, those in obedience to Rome and those not.[31] To the extent that there was a Union between the Greek (Melkite) and Latin Chalcedonians, would not this remove the native Chalcedonians (Melkites) from the ranks of the non-Franks, in other areas besides religion? There is no evidence that non-Franks, even if they were "uniate" Chalcedonians, thereby entered the legal caste of the Franks.

It is not possible to assert, as do Rey, Grousset, Every and those who follow them,[32] that the Frankish Assises of Jerusalem explicitly grant to Maronites or Syrians (understood as Chalcedonians) equality with Franks in the Cour des Bourgeois, or the ability to testify for or against a Frank save in the Market Court. There is nothing in the Assises to support such a claim, nor the presumption that such equality derived from the Maronite and Melkite relations with the Roman Church. The only time that the Latins might have given recognition to specific Chalcedonians would have been after the Frankish with-

drawal from Jerusalem in 1187. Beginning in the 13th century, Rome tried new ways of regulating the Latin and Greek hierarchies now that much of Palestine was beyond Frankish control and the Melkites on the Frankish coast were largely Hellenes.[33] But in the 12th century, the legal distinction between Frank and non-Frank was based on nationality and law, a distinctiveness bound to history and culture. Although religion and religious law played a great role in creating such distinctions, they could not be bridged by a mere commonality of religion. Three excerpts from contemporary accounts should give a clearer idea of the Frankish attitude:[34]

1) From a land transfer for AD 1186 in Palestine, the mention of some residents not covered by the act: "exceptis ecclesiis, militibus, Surianis et aliis gentibus Romanae ecclesiae non hobedientibus".

2) And from the travel account of Ernoul (fl. 1190), a list of groups he chose to neglect, including "Suriens, Griffons, Jacopins [etc] qui n'estoient mie obeissant a Rome".

3) And finally, from Chapter 28 of the Livre de Philippe de Navarre (comp. ca. 1252-1257):

> Les gens qui ne pevent porter garantie en nostre court encontre Frans si sont; toutes les gens qui ne sont de la ley de Rome, et tout forjugies et tous parjures et tous ceaus qui sont feimentie....Main encontre Gres et Suriens et tout autres Crestiens qui ne sont de la ley de Rome, ils pevent porter garantie les gens de leur lei....

The only conclusion to be drawn is that the Law of Rome does <u>not</u> mean the canonical discipline of the Roman Church, but the laws and customs of the Roman "nation", the Franks.

The medieval practice was to equate language, and especially liturgical language (here, Latin), with the customs and laws associated with those sharing that language.[35]

The true sphere of Roman canon law had practical consequences for the Melkites only in matters of sacramental and clerical discipline of the most general sort, where the Latin hierarchy was able to supervise the practices and appointments of the Greek Melkites, consecrations of bishops, modalities of administering the sacraments, etc, and appeals in ecclesiastical law, which were carried back to Rome, not to Constantinople. In the civil realm, church union, and especially the vague version in effect in 12th century Palestine, had no consequences whatsoever.

This survey of the courts completes our description of the Melkites in 12th century Palestine. Our analysis of selected institutions in *Part Two* has revealed a thriving and viable Christian community of the Melkites. Although their submission to the Crusader occupation and to the erection of the Latin Church cost the Melkites some of their community leaders, their economic, social, fiscal and legal status was at least as well off under the Franks as they had been under Arab rule. Their autonomy and internal freedoms were respected, more so in the civil sphere than in the religious.

Part Three's task is to explain <u>why</u> the Frankish occupation brought about these conditions for the Melkites and other native Christians. That is, was it the result of a conscious

policy shared by all the Western leaders, to isolate the Melkites, or an unconscious laissez-faire approach, or of a compromise between antagonistic elements among the Franks?

1. A general bibliography: Livre de Jean d'Ibelin, cap. iv, in RHC: Lois, I, p. 26; John L. LaMonte Feudal Monarchy in Jerusalem (Cambridge, 1932) 108; Joshua Prawer "Études preliminaires sur le Livre des Assises" (RHDFE 32, 1954) 358-63; Claude Cahen La Syrie du Nord (Paris, 1940) 330-333, and his "La féodalité et les institutions politiques de l'Orient Latin" in Oriente ed Occidente nel medio evo (Roma 1957) 176-9; Jean Richard Roy. Lat. (1953) 128; René Filhol "Gouvernants & gouvernés dans les principautés francques d'Orient" (Recueils Jean Bodin 24, 1966) 121-123; J. Prawer Hist. Roy. Latin (1969) I, 517-522; J. Riley-Smith "The Survival in Latin Palestine of Muslim Administration" in (ed) P. M. Holt The Eastern Mediterranean Lands in the Period of the Crusades (1977) 9-22; Hans E. Mayer "Latins, Muslims & Greeks" (1978), p. 185.

2. Meron Benvenisti The Crusaders in the Holy Land, p. 15.

3. Prawer suggests that some native courts had six Syrian jurors, Histoire I, 522. On the confusing term "Syrien", see vanderBrincken, pp. 78-83, with the more current references, and Joseph Nasrallah "Syriens & Suriens" (Orient. Christ. Analecta, 1974) 487-503. Also, the Assises de la Cour des Bourgeois, cap. 241, in RHC: Lois, II, p. 172, and note 24(ahead).
P. Karolidos Peri tès Ethnikès Katagogès (Athens 1909) pp. 372-377. On mixed courts and jurors in early medieval Europe, see Stouff "Étude sur le principe de la Personnalité des Lois" (Rev. Bourguig. 4, 1894) p. 32.

4. See Chapter Two, and J. Prawer "Étude préliminaire" (1954) p. 360-362, and his Histoire, vol. I, p. 521.

5. For details on taxation, recall the previous chapter. Also Cl. Cahen "Féodalité" (1957) p. 183. This arrangement was not a real departure from that in effect in Fatimid/Seljuq Palestine: the combining of revenue with court jurisdiction was a Frankish novelty, but the maintenance of a series of courts in effect kept the customary diversity of taxes according to type of transaction and to personal status (ratio religionis) familiar to Muslim government.

6. Mayer "Latins, Muslims, & Greeks" (1978) p. 185 has full references.

7. A person's capacity in law is determined by his national or personal status; the determination of property under law is governed by its placement in a locale; and juridical acts are governed by the place where they occur. See Batiffol and Lagarde Droit international privé (Paris 1974) 6th ed. vol. I, p. 3.

8. Chapter 241 of the Assises du Cour des Bourgeois lists the criminal cases which must be turned over by the market court to the burgesses court.

9. See Chapter Eight, topic 2, and Prawer Histoire, I, 518.

10. L. Stouff "Étude sue le principe de la Personnalité des Lois..." (Rev. Bourguignonne 4, 1984) 1-65, 273-310
Karl Neumeyer Die gemeinrechtliche Entwickelung des internationalen Privat-und Strafrechts bis Bartolus: Die Geltung der Stammesrechte in Italien (1901), and Die gemeinrechteliche Entwickelung bis zur Mitte des 13 Jahrhunderts (1916)(Munich); in 1901 vol., pp.3-21, 44-47, 80-83, 86-90, 122-129, 138-144, 153-155, 199-203, 232-272. In 1916 vol. 47, 99.
Eduard M. Meijers Études d'Histoire de Droit International Privé (Paris, CNRS 1967) pp. 20-21, 69-70, 80-82, 93, 148-149.
Andre Weiss Manuel de droit international privé (Paris, Sirey 1925) [9th ed] pp. 1-9, 227-242, 354-359.
Henri Batiffol and Paul Lagarde Droit international privé (Paris, 1974) [6th ed] vol. I, pp. 7-11, 12-16, 283-287.
Max Gutzwiller Geschichte des Internationalprivatrechts (Basel & Stuttgart, 1977) pp. 2-21.

11. On the classic discussion between the weight of ius sanguinis versus ius soli for determining nationality, see Batiffol 103, Weiss 8, and Neumeyer 12, 89.

12. Stouff, p. 287, and Meijers 18-19. According to personality, an outsider is not subject to the lex fori where he finds himself, just as an insider or member remains subject to his birth-law when he travels outside. According to territoriality, lex fori or local law is incumbant on all persons in the zone, even outsiders who enter it, and members of the zone are subject to the laws of other places when they leave their home. Certain laws, however, focus on property or contracts and acts, see note 7 above. These determinations follow the law of the place where the contract was made, the act committed, or the property lies, often regardless of the nationality or personality of the litigants, if these differ. Finally, strong central authorities even in medieval times, imposed some legal uniformity in matters of administration and taxes, see Batiffol, p. 11, and Weiss, 354-356.

13. In the case of Jews and Muslims within Christendom, their difference in religion from the majority also helped maintain their distinct legal personality, so that they were allowed their own religious laws among their co-religionists.

14. Gutzwiller, 9; Neumeyer (1901) 22-26, 95, 180-82, Stouff, 28.

15. Neumeyer (1901) 144-146, 244; Meijers, (1922) 148-149.

16. Ann E. Mayer "Stratification, Authority, and Justice in the Law of the Islamic Middle East: a Bibliographical Essay" (Bulletin: British Soc. for Mid. Eastern Stud. v:2, 1977) pp. 85-91.

17. Schacht (1957) pp. 204-05, 208, 226, 229-30.

18. Refer to Chapter 9 for details on taxation. Earlier scholars presumed that the Crusaders more consistently implemented European social patterns, which stressed a unity of Christians, as in E. Rey Les Colonies Francques (1883) p. 77, though whether he is referring there only to Maronites, or to Greek Orthodox, is not clear. This will be taken up in note 24 (ahead). While recent scholarship has given greater weight to the social fissures in Crusader society, they have not appreciated the residual racial and national character of each social stratum. This is important, for the laws peculiar to each stratum were not born from societal differentiation according to task and responsibility, but from the absorption of cosmopolitan Roman laws and ideals by the tribal élites of barbarian nations.

> The schism in Palestine was distinct from the earlier schisms between Rome and Constantinople in the 11th century...It began with a social fissure between Franks and Syrians in the Latin Kingdom of Jerusalem, deeper than the old division between Syrians and Greeks; for while a Syrian could become a Greek by joining a Greek choir, he could not become a Frank or a Latin.
>
> George Every "Syrian Christians in Jerusalem 1183-1283" (ECQ 7, 1947) p. 51.

See instances described in J. Richard Roy. Lat. (1953) p. 123, and H. E. Mayer (1978) p. 187, and vandenBrincken (1973) pp. 2-15, the sum of which is that the Franks used "natio" not to indicate race as much as "lex". On this, see also Neumeyer (1901) pp. 246-7, n. 4, distinguishing "lex" from "usus". Oderic Vitalis constantly refers to the native Christians in Palestine as "ethnicis". While lex is tied to religious affiliation, Neumeyer (1901) 262, 264, we wish to point out that the inflexibility of Crusader society cannot be explained solely by religion and written law, but by the racial and national castes which stand behind both of these.

> La difference de condition que l'on constate à propos des Syriens était liée, non à leur appartenance religieuse, mais à leur lieu d'habitation, la ville en l'occurrence, et aux fonctions qu'ils y remplissaient.
>
> Joshua Prawer Histoire, I, 518.

This approach also does not go far enough, though it does help to expand our focus from religious stratum to include social ones. See n. 29 (below).

19. See our comments, esp. on the Ashtor/Goitein debate, Chapter 3, note 10, and Chapter 8, note 24. Wilhelm deVries provides some comments from Dionysius Bar-Salibi, the Jacobite bishop of Amida (d. 1171) on avoiding any intercourse

with heretics (especially Latins and Greeks), compared to the more moderate views of Patriarch Michael the Syrian and the maphrian Gregory Bar-Hebraeus, all also Jacobites; "Zum Kirchenbegriff der späteren Jakobiten" (OCP 19, 1953) pp. 147-8, 150-155.

20. Riley-Smith "Survival" (1977) p. 12.

21. Besides Riley-Smith, ut supra, see also R. B. Patterson "The Early existance of the Funda and Catena in the Latin Kingdom of Jerusalem" (Speculum 39, 1964) 474-477, where his point is to show that these institutions were functioning at least since the time of King Baldwin II. On the legal authority of the judges of the Champagne Fairs in medieval France, see Meijers (1914) op.cit. p. 55. The muhtasib, market arbitrator, goes back to the late Roman agoranome, J. Schacht (1957) p. 206-207.

22. RHC: Louis, II, pp. 53-56. Legal distinctions in court among subject communities were common in Norman Italy, Neumeyer (1901) p. 249, and in Lusignan Cyprus, where Greek and Syrian Orthodox were considered to be of distinct communities, unable to bear testimony against each other, Richard "Peuplement", p. 170.

23. According to vandenBrincken, pp. 55-56. Lammens rather elaborately describes Griffons as Syrians who'd become superficially Byzantinized during the 11th century, and who did not cooperate with the Franks, but rather strove to undermine Latin overtures towards Palestinian Chalcedonians, La Syrie, précis historique (Beirut. Impr. Catholique 1921) pp. 246-7.

24. The confusing term is, again, Suriani/Syrians. It should refer either to Maronites or to Melkites. We're presuming that this document was codified around 1230-1244, per Maurice Grandclaude Étude critique sur les Assises de Jerusalem (Paris, Jouve 1923); Grandclaud's "Liste d'Assises..." in Mélanges Paul Fournier (Paris 1929) adds nothing new for this portion. And J. Prawer reminds us that this redaction is regressive and conservative, "Étude préliminaire" (RHDFE 32, 1954) p. 363. The Maronite Union with Rome had been formalized by that time, and to the extent that there was any substanace to the Greek/Roman Union, perhaps Suriani includes both Maronites and Melkites as being in the nation of those obedient to Rome. But this interpretation faces two problems: if these terms are consistently national, what significance would ecclesial unions have? And if these terms are consistently ecclesial, why are the Greeks distinguished from their Syrian co-religionists? Another solution is for Grifons to include Greek and Syrian Chalcedonians and Suriani to mean just Maronites. Perhaps the terms are simply not consistent.

See vandenBrincken, p. 9, and Rey, who uses "Suriani" to refer to native Chalcedonians under Greek jurisdiction, and other times he means the Maronites. Every tries to add precision in reserving Suriani for the native Chalcedonians, but his sources betray him every time. In most lists of native Christian communities, Suriani is flanked by Greeks and Jacobites, so that it can mean little else but a group of Chalcedonians, distinct from the Greeks, unless Jacobite means Copt, allowing Suriani to mean Jacobites. The terms must, usually, be meant to be exclusive, as they have legal repercussions. Refer back to note 3 in "Terminology" section.

For some samples from documents of the period:

The Typikon of Mar Saba: Greeks, Syrians, Franks, and Iberians

RHC:Lois, II, caps. 59-64: Grifons, Armenians, Syrians, Nestorians, & Jacobites

Theoderic, cap. 7: Syrians, Armenians, Greeks, Jacobites, and Nubians

Ernoul, cap 26: Syrians, Jacobites, Georgians, Nestorians, Armenians

Jacques de Vitry, Ep. II: Syrians, Jacobites, Nestorians, Georgians, and Armenians; and, Syrians, Nestorians, Jacobites, and Maronites.

Jacques de Vitry, Hist. Orient, cap. 67: Syrians, Greeks, Jacobites, Maronites, Nestorians, Armenians, and Georgians. And in cap. 74, Jacques indicates that Syrians are subject to Greek clergy.

Jean Richard, in Royaume Latin, p. 122, equates Jacobites with Copts, and offers some contemporary examples of this from 12th century

A-D, vandenBrincken sorts out Greeks (pp. 53-55) from Melkites/Syrians (pp. 77-80) and comments on such lists as these (pp. 84-86).

25. (ed) A. Tăutu Acta Honorii III & Gregorii IX (Rome 1950) No. 80.

26. Despite the principle stated in the Livre de Jean d'Ibelin, cap. 71, that "on ne pouvait porter garantie que contre des gens de sa nation", the mixed jurors of the market court sat on a certain equality, "car encore seient il Suriens et Grifons, ou Judes, ou Samaritans, ou Nestourins, ou Sarasins, si sont il auci homes come les Frans, et sont tenus de paier et de rendre ce que jugé leur sera", from cap. 241 of the Assises de la Cour des Bourgeois.

The editor of the Assises for the RHC, le comte Beugnot, interpreted the Cours des Suriens thus:

> Ces cours du reis, ou des Suriens, vendoient seuls la justice à leurs compatriotes, pour faire place aux Cours de la Fonde, juridictions mixtes, et dont la compétence s'étendait à la fois sur les affaires commercialles et sur les affaires civiles d'un faible intérêt.
>
> RHC: Lois, I, p. xxiv

Joshua Prawer follows this interpretation, in his Latin Kingdom, pp. 153-155.

27. A general bibliography for this section: Edouard Rey Les Colonies Franques de Syrie aux xii & xiii siècles (Paris, 1883) 75-105; Hans Prutz Kulturgeschichte der Kreuzzüge (Berlin 1883/Hildescheim 1964) 55-72; Henry Musset Histoire du Christianisme, vol. I (Harissa, 1948) 431-455; Jean Richard Le Royaume Latin du Jérusalem (Paris 1953) 122-132; Anna-Dorothee vandenBrincken Die «Nationes Christianorum Orientalium» (Cologne, 1973) in toto; Joshua Prawer The Latin Kingdom of Jerusalem (London, 1972) 153-164, 220-224, presently the most thorough modern analysis. H. E. Mayer "Latins, Muslims, and Greeks in the Latin Kingdom of Jerusalem" (History 63, 1978) 175-192. A. Ben-Ami Social Change in a Hostile Environment (Princeton 1969), chapter 3.

28. Cahen "Féodalité" (1957) 178-9.

29. At the social level, we know of instances of Muslim, Armenian, and Syro-Greek warriors entering the knightly caste in Frankish states; the legal ramifications of these instances are unknown.

30. We cite again here the quote from Prawer given in the Introduction:

> Le fait que tous les non-francs, chrétiens ou non, avient une même condition devant la loi a paru difficilement admissible aux historiens. Contrairement au témoignage clair des sources émanant des croisés, ils essaient de déceler une discrimination en faveur des chrétiens.
>
> Histoire, I, 518, n. 20.

René Filhol writes that in mixed courts, "les suriens chrétiens étaient placés en somme sur un pied d'égalité avec les bourgeois chrétiens (=francques)", op.cit. p. 123. The significance of this statement is altered considerably when we add that, non-Christians, however few they were, were on equal footing with the Franks in mixed courts as well.

It is useful to refer again to conditions in Norman Italy, where the Greek community was set apart from the Normans and Lombards, with communal legal autonomy, though there were mixed courts as well, with Latin and Greek jurours. See Neumeyer, pp. 264-266.

31. vandenBrincken, 3-8, 15-16, 179-180; Epistle 2 of Jacques de Vitry, lines 136-160, 428-442, in (ed) Huygens (Leiden, Brill 1960) pp. 84-5, 96; Joseph Hajjar Les Chrétiens Uniates du proche-Orient (Paris, 1965) 142-3, 164-5.

32. Rey, as in n. 24 above. Also René Grousset Histoire des Crosades vol. II, p. 758, followed by J. Hajjar Les Chrétiens Uniates, p. 158, and H. Musset, I, 447.

33. Every (ECQ 1947) p. 51-52. See also our later discussions in Chapter 11 Topic 5, and Chapter 12, Topic 4.

34. The first citation is from Delaville le Roulx Les Archives...de l'Ordre de St. Jean de Jérusalem (Paris, 1883) No. 63, pp. 156-157.

The second is from (ed) L. de Mas Latrie Chronique d'Ernoul et de Bernard le Trésorier, (Paris, 1871) p. 210. Also in (ed) Titus Tobler Descriptiones Terrae Sanctae ex s. vii, ix, xii, & xv (Leipzig, 1874), and in (tr) C. R. Conder, PPTS series (London 1896) p. 56.

The third is from RHC:Lois, vol. I, pp. 501-502, with dating from Grandclaude's Étud critique (1923) p. 80, 129-132.

35. On the crucial importance of language in sorting out various Oriental Christian communities, see Stouff, pp. 11-13, and Karolidos, p. 377, and our analysis of the extract from an act of P. Innocent III, in Chapter 9, note 3, where "language" operates like our modern notion of nation; also the analysis on the "Latin" kings, Chapter 13, note 46.

Such distinctions were retained by the Roman Catholic Church from medieval to modern times, see Neumeyer Die gemeinrechtliche Entwickelung (1901) p. 262-4, and Mauro De Ecclesiae Tributorum Iure (1966) p. 56.

P A R T T H R E E

"The Origin and Nature of Frankish Policies towards the Melkites"

Part Three is concerned with policy-making. *Part Two* provided the historical landscape against which we outlined the more tangible aspects of the Melkite community. To answer the question - How this social configuration came to be - we need to ask Why the Franks treated the Melkites as they did. If we reply that the Franks treated the Melkites pretty much as had their Arab predecessors and for the same reasons, we must still wonder why they did not integrate them as fellow Christians into a common Christian society of the Kingdom of Jerusalem.

How socially significant was the religion of the Melkites to the Franks? The status of the Melkites, and of the other Christian sects, would not be difficult to determine, were it not for the issue of their common faith with the Franks and their relationships to Rome. After all, the native Christians, like the Jews and Muslims of Crusader Palestine, were first of all subjects of the Franks, a strictly civil category.

But Church Union and the controversies about it have colored historical investigations of almost every aspect of the life of Levantine Christians who have come into contact with the West. Why is this so? It has been thought that the faith shared by the Franks and the Melkites created some mutual sympathy, and this would have impelled one side or the other

to express this sympathy in some form of religious union. And given the primacy of religion in forming personal identity in medieval society, such a union would have had consequences in other spheres of life.

It was of course the Roman Church and not the Melkites who took the initiative to bring about a union of the two churches in those areas under Frankish control in the East. European churchmen and the Roman curia were not the only policy-makers in Latin Palestine however.

By setting the Church Union issue in its proper place, we hope to restore the focus of research on the two other factors which were more profoundly at work in determining the communal arrangements in 12th century Palestine:

1) the Frankish ruling caste's predisposition towards national community identity based on colonial values and concerns; and

2) the maintenance by the Crusaders' subject communities of their prior, Muslim-era, dhimmi societal structures and patterns of autonomy.

The first three chapters of *Part Three* study the effects of Church Union in depth: the theological and dogmatic front (Chapter Eleven), the significance of the substitution of Latin for Greek Patriarchs (Chapter Twelve), and the manner in which the Latin Church dealt with the Melkite bishops in their midst (Chapter Thirteen).

Papal efforts to integrate the Oriental Christian churches of 12th century Palestine into herself were negligible.

The fate of the Melkite bishops and Patriarchs, and of the other community leaders and institutions, were determined less by ecclesiological aspirations than by laymen for administrative designs.

So in Chapter Fourteen we compare the policies and attitudes of the Church of Rome with the two major governing bodies in the Kingdom, the local Latin Church and the royal and baronial houses. The Kingdom's lay rulers had the most power over their subjects and their own self-interests primarily created the social demands the Melkites had to face.

The national and racial traditions of the Franks and Normans, and of the other peoples who participated in the Crusades, were briefly described in Chapters Nine and Ten at the end of *Part Two*. We take a further look at these patterns in Chapter Fifteen, where we will derive two consequences of them for the Melkites.

On the one hand, the racial/national consciousness of the Frankish ruling caste encouraged them to isolate themselves from their subject peoples, and thus to ignore the faith of the Oriental Christians in all but inconsequential matters.

On the other hand, the ruling caste wished to control their subjects for their own safety and to exploit them. It was consistent with the first value of <u>isolation</u> to allow their subjects, Christian and non-Christian alike, to retain a measure of autonomy. But the native institutions were traditionally run by religious personnel and delineated by religious criteria.

The second value of control led the Franks to recognize and exploit the dominant aspects of their subject communities, including the Christian faith and religious personnel of the Melkites.

CHAPTER ELEVEN:

The Dogmatic Aspects of Church Union

1. Church Union: Contours of the Issue

It is a commonplace that the newly-established Latin Church in Palestine considered itself to be in continuity with the native Chalcedonian Church. For this reason, the Greek Patriarchate lapsed during the Frankish occupation, most of the Greek bishops did not function, and all the Melkite clergy and laity were under canonical obedience to the Latin hierarchy.

Claude Cahen describes some of the consequences of Church union:[1]

> Les Grecs sont des fidelès appartenant à la même église que les Latins, et dont il faut réduire le rébellion; à la différence des hérétiques, ressortissant d'église de l'administration desquelles les Latins se soucient peu, les églises grecques [schismatiques] doivent ou disparaître ou se soumettre à la suprématie du clergé Latin, qui, comme héritier du clergé grec, doit tirer d'elles les mêmes revenues qu'il préleva sur ces propres ressortissants.

The claim of a Union of the Latin and Greek obediences in 12th century Palestine is compelling because it solves so many problems: it regularizes the presence of the Greek bishops whom the Latins either could not evict or allowed to remain, and it justifies the arrogation of many of the properties and incomes of the native Chalcedonian community for the benefit of the Latin establishments.

Because the Franks were inheriting and continuing the Catholic Church in Palestine which had been represented by

Patriarch Simeon, the priests, monks, and properties of the Melkite Church were meant to find their own continuity within the Latin Patriarchate.[2]

As the end of Chapter 13 will explain, the Latin Patriarchs did not mimic the titles of the Frankish Kings of Jerusalem, who were styled "Latin" kings. Rather the Latin Patriarchs in succession to Simeon insisted on retaining their predecessor's role as father of all the Christians of the province. Aside from the ecclesiological aspirations involved in such an approach, the viability of the Latin Church's title to and hold over its properties was threatened if the remaining Melkite clergy and bishops were not, in principal, subjected to Latin canonical authority.

Yet we know that the reality of a Church union extended only as far as the secular sanctions of the Roman Church. How real was the Union idea even in theory?

One can test the Church Union claim from two ends: the institutions and circumstances which require Church Union to support and justify them, and those which would be required to support Church Union.

For the first approach, we have shown that many of the circumstances which required Church Union to justify them either did not exist as we thought (e.g., confiscation of Melkite property by the Latins, or civil equality of Melkites with the Chalcedonian Franks), or are amply justified by other causes (presence of Melkite bishops, tithing of Melkites).

For the second approach, the integration of the Greek and Latin Churches in Palestine would need to be supported by two kinds of evidence, theological and jurisdictional.

Theology. In textbook fashion, the ending of a schism requires an accord over authority, usually in jurisdictional terms. The ending of a heresy requires a settlement of theological differences, followed by a settlement of jurisdictional problems. Did representatives of Rome and the Greek Church in Palestine ever come to formal agreement? Or was the province of Jerusalem subsumed by some accords reached between Rome and Constantinople? Lacking specific union formulae, can the claim of Church Union rest just on the historical records of Rome's ties to the Oriental Patriarchates over the centuries? Did some Melkite bishops, perhaps those who remained in Crusader Palestine, tacitly cooperate and integrate themselves with the Latin hierarchy? There is no evidence for any of this.

Jurisdiction. Was a jurisdictional understanding responsible for the exclusion of Greek candidates to the Patriarchal throne in favor of Latins, or the restrictions upon the remaining Melkite bishops, or the eviction of the Greek canons from the Holy Sepulcher? We will analyse a text from the Assises of Jerusalem which indicates that the Armenian and Jacobite bishops of Jersalem were suffragans of the Latin Patriarch. We must investigate any evidence that the Greek bishops were also suffragans of the Latins, and how.

Compounding all these inaccurate presumptions is another one, that the Roman Church and her policies were uniform. They

were anything but uniform, and in fact were often conflicting.

Unlike the Latin Patriarchs and Kings of Jerusalem, the Papacy had a long history of relationships with the Eastern nations, and their modes of interaction were quite complex. Many studies have focused on the Eastern policies of the Papacy,[3] but in concentrating upon the Melkites of the First Latin Kingdom some distinctions are crucial.

1) The hiatus between the First and Second Latin Kingdoms -- 1099-1187 and 1192-1291 -- matches a division in papal policies before and after the term of Pope Innocent III (1198-1216). He does not mark a watershed in Roman policies, for Innocent's ideas and vocabulary can be found in Celestine III (1191-1198), Alexander III (1159-1181), Innocent II (1130-1143), and back to Gregory VII (1073-1085). His reign nonetheless marks a tremendous increase in the extent of Latin control over Greek territories (the acquisition of Cyprus, Constantinople, and Greece), an intensification of Union talks leading to the Oriental Rite canons of the Councils of Lateran IV (1215) and Lyons II (1274), and the final shaping of Latin ecclesiology in the legal terms of obedience to Roman jurisdiction. The predecessors of Innocent III still appreciated an antique ecclesiology, based more on Scriptural motifs and moral (charitable) responsibilities, in which Roman solicitudo had not yet been redefined as plenitudo potestatis. Therefore, the conditions peculiar to the First Latin Kingdom, combined with the concerns and capacities of the 12th century Papacy, led to arrangements quite different from those achieved in the Second

Latin Kingdom and in other Latin domains in the East during the 13th-14th centuries.

2) Furthermore, the Papacy dealt with the Oriental Christians along three fronts, often using different approaches for each:

(a) Theological questions: the filioque and related matters of Christology, the definition of the Church and the place of the Petrine mission, purgatory, the number of normative general councils, etc.

(b) Questions of practice, rite and discipline: use of unleavened bread, the times and manner of ordination, dilution of the sacramental wine, festal calendars, composition of the Holy Crism and the dispensing officer, which clerical ranks could dispense the various sacraments, the language of the liturgy, married clergy, degrees of consanguinity, etc.

(c) Jurisdictional questions: what conditions would justify the subordination of non-Latin abbots, bishops, metropolitans, and Patriarchs to Latin hierarchs, overlapping jurisdictions versus diocesan integrity, etc.

There's a logical sequence among these considerations, those of jurisdiction presume the resolution of theological and ritual differences.

3) Non-Latin communities within the boundaries of the Western Primacy (as in southern Italy and Sicily, Illyricum) were integrated more thoroughly into the Latin hierarchy than those outside (Greece, the Near East). The Patriarchs of Constantinople behaved in a similar manner towards dioceses

within and without the borders of their traditional jurisdiction.

4) Chalcedonians were subjected to more intense Latinization than non-Chalcedonians, especially when historical circumstances deprived some Melkite and Greek Orthodox populations of the protection of their own hierarchies.

This Chapter is set aside for analysing the theological and dogmatic accords involved in Church Unions. Chapters 12 and 13 will focus on the jurisdictional issues.

From the theological perspective of ecclesiology, a Union of Churches must begin with the resolution of those issues which first divided them. It was accepted by the Latins and the Melkites that their estrangement bore aspects of schism and of heresy. The former stemmed from Rome's Petrine claims to universal ordinary jurisdiction; and the latter was due -- not to Christological differences as with the Jacobites and Nestorians -- but to matters of discipline and practice, the <u>filioque</u> in the Creed, the use of unleavened bread, etc.

Formal accords and unions between the Church of Rome and various oriental churches occured throughout the 13th century, beginning with the Maronite Union of 1181 and the Armenian Union of 1198, and culminating in the Greek Union at Lyon II in 1274.

But were any accords reached with the Palestinian Melkites, or were Rome-Constantinople agreements meant to include Jerusalem? Did any of this happen before the Franks were first

evicted from Palestine in 1187?

We know from Chapter Five that the Melkite hierarchy of Jerusalem did not of its own volition turn over the reins of authority to the Frankish Church. In fact there was really no one in authority with whom the Latin Church could treat on issues of Union during the entire life of the First Latin Kingdom. Are we not right to suspect, then, that the papacy contented herself with a de facto juridical absorption of the Melkites under Latin suzereinty in Palestine and concerned herself with doctrinal niceties later?

In this chapter, we wish to satisfy ourselves about the theological bases of inter-ecclesial accords, especially those which Rome entered into with the other oriental communions. In the end, we will have found no formal theological support for the claim of a Latin-Melkite Union in 12th century Palestine. So we will take the next step in Chapter Twelve, where we study the significance of the Latin takeover of the Greek Patriarchate of Jerusalem, and the Latin acquiescence for a de facto union of very slight dimensions.

2. The Jacobites

These Syrian Christians were not the most enthusiastic supporters of the new Crusader regimes, for they had little to lose or gain from this change of rulers. Their history had molded their expectations into an eschatalogical frame by which they expected only the final celestial kingdom of God, and little justice in this world.[4]

But they were glad to be rid of Byzantine intervention into their community life and beliefs, and this gratitude constantly led them to prefer ecclesial arrangements with the Franks than with the Byzantines.

Emperor Basil II (963-1025) had pursued their Patriarchs and bishops, first to woo them into settling in Mar'ash and other recently-won cities which had been evacuated by the Muslims, and then to induce them to accept Chalcedonian formulations. The resistance of Patriarch John IX bar Abdun (1004-1033) and his bishops led to their exile and imprisonment.[5] Emperor Romanos III Argyros (1028-1034) was very intolerant of his new monophysite subjects in the reconquered provinces of Syria. Fleeing from the zealous Chalcedonian Byzantines, the successors of Patriarch John settled again in Amida, but when this haven in Muslim lands also became unfavorable, they found welcome and relative security in the new Crusader state at Edessa. Patriarch John XIII Maudiana (1130-1137) was consecrated in the church of the Crusader fortress at Turbessel protected by Count Joscelyn of Edessa.

The cessation of the Byzantine Patriarchate in Antioch (1100) also gave the Jacobites freer access to that city as well. In Jerusalem, after the Jacobite bishop Ignatius returned from Egypt to the now Frankish city, there were some difficulties about property restitution, which were resolved in the Jacobites' favor through the good efforts of Kings Baldwin II and Queen Melisende.[6] And after the fall of Edessa in 1144, Jacobite refugees were welcomed to Jerusalem.[7]

Official involvement of the Latin Church began only in 1140-41 when the papal legate Cardinal Alberic of Ostia came to Jerusalem, after presiding over a synod in Antioch which deposed the Latin Patriarch Raoul.[8] The synod in Jerusalem was probably designed to reassert papal authority after the Anacletan schism in Rome. Patriarch William of Jerusalem, like Raoul of Antioch, had taken advantage of the schism to assert his autonomy.

But along with such concerns, the papal legate received some Oriental hierarchs. The Armenian Patriarch had come with Alberic to Jerusalem (see below), and bishop Ignatius (ca. 1138 - ca. 1183?) of Jerusalem's Jacobite community also attended some sessions of the synod. The Jacobite Patriarch Athanasius VII bar Qetreh (1138-1166) remained in Amida and did not come to Jerusalem. No acts of this synod survive, and we are only told that some dogmatic formulas of the monophysites were interpreted to Rome's satisfaction.[9] This may have been enough to regularize Ignatius' status in the Holy City vis-à-vis the Latins.

Nothing further was done until Patriarch Michael I the Great (1166-1199) sent his theologian Theodore bar Wahbūn to a series of Union talks held at Qal'at al-Rūm near Edessa. Michael was no irenic however, and at this same time he supported another protegé of his, Dionysius bar Salībī, bishop of Amida and a famous Jacobite exegete and polemicist. At the request of bishop Ignatius of Jerusalem, Bar Salībī wrote an Expositio Liturgiae.[10] In this treatise, and in other of his

writings, Dionysius exposed the customs and errors of Greeks, Latins, Armenians, and Nestorians in an uncompromising fashion. Clearly not all issues had been resolved at the Jerusalem meeting of 1140, nor was bishop Ignatius in a position to commit himself or his church to Rome.

The conversations at Qal'at al-Rūm/Rumqala (1170-1177) brought together two Greek theologians Theorianos and Christopher, Theodore bar Wahbūn for the Jacobites, and the Armenian Katholikoi Nerses and Gregory IV.[11] The Jacobites had been the least enthusiastic, and participated only at the constant prodding of the emperor Manuel, who seemed willing to make concessions. But historical theological acrimonies and the Byzantine phobia of hidden monophysitic tendencies in Syrian and Armenian rituals prevented the talks from going beyond the ineffectual union schemes of the past.

Jacobite-Latin relations were on a more political level. The Latins hadn't participated in the Rumqala talks, which were held just outside their territory. But Patriarch Michael was freer to cross political boundaries and had visited Antioch on a number of occasions. He had even hosted the Latin Patriarch Aimery of Antioch at the Jacobite monastery of Qusair while the Greek Patriarch Athanasius III was in residence in Antioch (ca. 1165-1171). Michael also twice visited Jerusalem, in 1168 and in 1179, where he was warmly received and obtained a diploma from King Baldwin IV. Patriarch Michael had already obtained diplomas from Baghdad, Armenian Cilicia, and the Sultanate of Rum and also from Damascus.[12] With these diplomas

Michael sought to insure civil recognition and protection for Jacobite monasteries and churches, and to allow his bishops to function freely amidst the mosaic of political entities in the region. We can presume that these diplomas also gave approbation to Jacobite law, so that his bishops could adjudicate matters of personal status and ecclesiastical discipline among Jacobites. No theological import was implied or required in Baldwin's diploma to the Jacobite Patriarch, and Michael had little respect for the theological rigor of the Latins anyway. So long as the Franks granted civil autonomy and religious freedom to the Jacobites, Michael was content to leave dogmatic issues alone.[13]

His rival, however, saw submission to Rome as a useful prop to his unsteady claim to the Patriarchate. A theologian at the Rumqala talks, Theodore bar Wahbūn was consecrated Patriarch by malcontent bishops in 1181, and ruled until his death in 1193. But he found little support in Muslim territories (Michael had firm patronage there), so Theodore came to the Holy Land in 1183, and later boasted of the simple credal formulae required of him there in order to enter the Roman fold. A more suitable home was offered in Armenian Cilicia, where Prince Leo and the Armenian Katholikos, also courting Rome's favors, recognized Theodore as Patriarch of the Jacobites in Cilicia.[14] Theodore continued to visit Jerusalem from time to time -- he was there in 1187 when the city fell to Saladin -- and Latin recognition of Theodore strained Michael's relations with the Jerusalem régime for the duration of Theodore's reign.

The fall of the First Latin Kingdom (1187) and challenged elections among Michael's successors let further Union overtures lapse until the reign of Patriarch Ignatius III (1222-1252), who visited Jerusalem in 1237 during the decade of Latin occupation after emperor Frederick's treaty of 1229. Ignatius presented a deposition of belief to the surprised Dominican prior in the Holy City, Fra Filippi, which contained his endeavors to bring certain Syriac rites and customs into accord with those of Rome. Fra Filippi sent these on to pope Gregory IX, an enthusiastic missionary but also a strict champion of canon law. Ten years later, Patriarch Ignatius sent a letter to pope Innocent IV offering further proofs of his intent to satisfy Roman standards of orthopraxis.[15] In his 1237 statement, the Jacobite Patriarch insisted that his relations with the Roman Church should not entail any subordination of his hierarchy to the local Latins, nor be tithed.[16]

Innocent IV was more flexible than Gregory IX in determining what the Oriental churches should and could do to become orthodox, and so was easily gratified by these approaches from the Jacobites. Ignatius' motives for making his unsolicited submissions may have been a desire to secure Western military support against the growing Tartar menace. Popes Gregory IX and Innocent IV were especially known to be zealous missionaries,[17] and anxious to use the Tartars against the Muslim powers. The popes eventually brought most of the Oriental Christians to the Mongols as allies.

The Franks in Palestine were not able to pursue conver-

sations with the Jacobites, for the Holy City and the Kingdom were devastated by the Khwarizmi horde in 1244 and shortly thereafter the city returned to Egyptian rule.

Of all the communions which Rome recognized during the Middle Ages, the Nestorians and Jacobites were allowed the greatest degree of autonomy. Their bishops were not subordinated to Latin metropolitans, and their internal disciplines and elections were to proceed in complete freedom from Roman intervention. Political and geographic conditions allowed Rome to regulate the Maronites and Armenians more closely, but the distant Jacobites and Nestorians benefited from the many miles between them and papal legates. Moreover the Jacobites and Nestorians retained strong centralized hierarchies until the early 15th century. The Armenians, for example, were split into a number of competitive Katholikoi and Patriarchates which allowed Roman intervention to proceed at a faster rate. But when the Latin Church was established on Cyprus (after 1220), not only the Greeks, but also the Jacobites, Nestorians, and Maronities on the island were tightly integrated into the Latin structure. This degree of integration had not been feasibile in 12th century Palestine.

3. The Armenians[18]

The Armenian experience with Byzantium was similar to that of the West Syrians though more portentious, because it concerned not only the status of their church but the fate of their political homeland. Once the Armenian principalities had been absorbed by Basil II (963-1025), many Armenians were

resettled in East Roman lands to serve the Empire in the border provinces. Some Armenians even became Chalcedonians, though this trend was alternately encouraged by some Greeks with sympathy or considered to be an odious act of insincerity; onorous demands were made on the converts for ritual conformity.[19]

So when Patriarch John IX (1111-1134) of Constantinople presented harsh terms for reconciliation to the ARmenian Katholikos Gregory III (1113-1166), including re-baptism, Gregory turned to Rome. He attended the Latin synods in Antioch (1139/40) and Jerusalem (1140/41) presided over by the papal legate Alberic of Ostia. Only ritual and sacramental issues seem to have been broached, but Alberic was sufficiently optimistic to persuade Pope Innocent II to send the pallium to Katholikos Gregory the following year. Further Greek excesses against the Chalcedonian Armenians and additional proofs of Frankish goodwill disposed the Katholikos to make his residence in Frankish territory, at Rumqala. In 1145 he communicated with Pope Eugene III and indicated more substantial agreement with Roman criticism of Armenian practices.[20]

Emperor Manuel I Comnenus (1143-1180) then adopted a more conciliatory posture towards the Armenian Union, and sponsored talks with the Armenians and Jacobites at Rumqala from 1170 to 1177. The new Katholikos Nerses (1166-1173) was quite willing to achieve suitable compromises, but not at the cost of breaking ties with the West Syrians, so there was a limit as to what could be achieved.[21] Katholikos Gregory IV (1173-1193) continued the dialogue which led to an acceptance of Chalcedon-

ianism by the Armenian bishops in 1179.

Dialogue with the Greeks however was much different than with the Latins, for the former remained scrupulous about terminology. Some byzantine churchmen condemned of heresy under Emperor Manuel had strayed from orthodoxy in their very writings intended for the Armenian dialogue. Byzantine anxiety for scrupulous correctness dampened the hopes of many irenicists on both sides.[22]

Byzantium was forced to withdraw from further involvements in Syria after the Emperor's defeat at Myrocephalon (1176). The Jacobites were now split by the schism of Theodore bar Wahbūn, and inasmuch as the Armenian Prince Leo recognized Theodore, the party of Patriarch Michael broke relations with Armenian Cilicia from 1180 to 1193.[23] Prince Leo's domain was thriving, however, and gaining in strategic importance due to the succession plans of Prince Bohemond III of Antioch (1149-1201). So Katholikos Gregory continued to correspond with the Roman popes, especially Alexander III and Lucius III, the latter sending him a pallium in 1184.[24] In return, the Armenians agreed to phase out traces of monophysitism in their rituals and do away with other liturgical variances from Rome's customs.

Katholikos Gregory VI (1194-1203) continued the dialogue with Rome, aided by the Armenian bishop of Tarsus, Nerses of Lampron (+1198), who wrote persuasive irenic tracts. The acceptance of dyophysitism by Nerses IV Shnorhali and Gregory IV was confirmed at a conference held in Tarsus in 1196 between Nerses of Lampron and Roman and Byzantine delegates.[25] A

proposed Greek Union with the Armenian Church failed at this time, but negotiations with Rome progressed, in part because of the encouragement of Prince Leo of Little Cilicia. Leo was anxious for recognition from the West and finally achieved his aim two-fold in 1198 when crowns were sent him from both the Emperor Henry and from Pope Celestine III. A Byzantine crown followed swiftly thereafter. A Union with the Roman Church was attached to the West's recognition of Leo's kingship however, and this was dutifully communicated to Rome in 1199 and 1202. Pope Gregory IX confirmed the Armenians in possession of their churches in Syria and Jerusalem and sent a pallium to the Katholikos in 1239.[26]

This Union of 1198, like the Maronite Union a few decades earlier, presented Rome with the problem of how to integrate two overlapping hierarchies, Latin and non-Latin, where the latter was headed by a primate recognized by Rome. The Fourth Lateran Council (1215) adopted a canon whereby non-Latin bishops were made vicars of the appropriate Latin bishop, but this was meant to apply especially in South Italy where the non-Latin Greek church was not headed by a primate recognized by Rome. The Tarsus Union of 1198 anticipated this to a degree; the Armenian Patriarch was made a special vicar of the Latin Patriarch of Antioch, and all the Armenian bishops were directly subordinated to the Armenian primate, just as the Maronite bishops retained their subordination to their own Patriarch, who in turn was a vicar of the Latin Patriarch of Antioch. The two Latin bishops residing deep in Armenian territory however, at Tarsus and

Mamistra, were still directly dependent upon the Latin Patriarch. The Greeks never received such terms (except temporarily on Cyprus) because their primates and Patriarchs did not submit to Rome, only individual bishops.[27]

This century of arrangements, agreements, and unions between the monophysite Armenians and the Chalcedonian Greek and Latin Churches could well be interpreted as proof of a real ecclesial union. But the Armenian civil and religious rulers could deliver no more promises of dogmatic and ritual changes to suit the requirements of Union, nor even live up to those that had been made. The Armenian faithful were dead set against a Union with the Byzantine Church, and not too pleased with prospects of a Roman Union. Fissures within the Armenian Church widened at every step taken to comply with Union demands: Nerses of Lampron was an isolated, unpopular figure among his fellow bishops; Gregory VI acquired an anti-Roman rival Katholikos; and the old Katholikate lines at Ani and Aghtamar were centers of Armenian resistance to Church Union with the Chalcedonians. It is doubtful that any meaningful alterations or changes were made in Armenian creeds and rituals. In 1307 the Armenians were still promising Rome to carry out such changes which had been promised a century earlier![28]

4. Other Church Unions

MARONITES. These West Syrians were shunned by neighboring Christians, in part because Maronite Christology never coincided with any other sect's notion of orthodoxy. Nestorians and Jacobites proselytized among the Maronites, the latter with

fair success, especially whenever the Maronite leadership showed signs of compromising with Rome.[29]

The Crusaders appeared as a possible ally to counter their isolation, so in 1137 some Maronites came to terms with Pons of Tripoli. This encouraging start prompted the papal legate Alberic of Ostia to treat with the Maronites in Tripoli on his way from Antioch to Jerusalem in 1139/40. A substantial union was achieved only in 1180/81, due to the zeal of the Latin Patriarch Aimery of Antioch.[30]

There are no documents supporting this traditional date, and we are left to guess at the nature and terms of the church union. The Maronite monothelite Christology which their neighbors accused them of holding was not considered dangerous in the West, and no doubt a suitable credal formula was devised to satisfy both parties.

The Maronite Patriarch bore the title of Antioch however, so there were canonical complications. That it was the Latin Patriarch of Antioch who brought about the Union suggests that he must have found a solution which safeguarded his own Patriarchal integrity, while recognizing the primacy of the Maronite Patriarchs among their own nation.

Another papal legate, Peter of Capua, met with pro-Unionist Maronite bishops in Tripoli in 1203, and these were in sufficient control of their communion to allow their Patriarch Jeremiah to attend the Fourth Lateran Council in Rome in 1215. From this date we have a regular series of papal bulls regulating the structural relations of the Maronites with the Roman See and the other Latin Patriarchates.[31]

The requirements of these later union declarations center on liturgical matters, ritual language, sacramental formulae, etc. The Maronites later became the most Latinized of the Oriental Churches. It was by such standards as these that the legate of Pope Gregory IX, Fra Filippi, informed his superiors in 1237 that the Maronites had thus far remained faithful to the Union.[32]

NESTORIANS. The hierarchy lists in the Appendix show Nestorian bishops for Jerusalem in 1065 and in 1180, and the Nestorian community is regularly mentioned in Frankish legal charters in the 12th and 13th centuries.[33]

There is not the slightest indication that Rome made any overtures to the Nestorians, and indeed the arrival of the Mongols and the adoption of Islam by the Il-Khans so reduced Nestorian presence in the East that Latin missionaries had to re-discover them in the late 16th century! Communities of Nestorian merchants are still known in the Levant and on Cyprus during the 14th and 15th centuries, but neither they nor Rome nor Byzantium took any coordinated action on their behalf.[34]

5. The Greek Melkites[35]

It cannot be denied that the Melkite Church in Syria and Palestine was tied in a closer relationship to the Latin Church than were the other Oriental Christians. Once the Latins assumed the mantle of authority of their Melkite predecessors, further contacts with the Greeks became more complex than the easygoing compromises effected by the Crusaders with the local monophysites.

Yet as far as we know, no discussions were held in Frankish Palestine between representatives of the Roman and Byzantine Churches, nor do we know of any between the Latin Patriarch of Jerusalem and the local Melkite community, over property, church discipline, jurisdiction, or theology. In fact, hardly any meetings between Catholic and Melkite representatives occured anywhere in the Middle East.

Archbishop Peter Grossolano of Milan visited Jerusalem in 1113, and had discussions with Greek theologians in Constantinople in 1112 on his way East, but not in Palestine.[36]

The visit of the Melkite Patriarch Leontios to Jerusalem around 1175 was not an occasion for dialogue, beyond what was required for the Latins to whisk him out of the country more unobtrusively than he'd entered it (see Chapter Twelve).

Syria presents an equally bleak picture. The Greek Patriarch of Antioch, Athanasius II (or III) (1156-1170/71), returned from exile to Antioch in 1165, following the agreements reached by the Emperor Manuel with Bohemond III. This momentous event was enmeshed in vast political schemes however, and no ecclesial talks preceeded it, as witness the withdrawal of the Latin Patriarch and his placing the city under interdict when Athanasius arrived.[37]

Latin delegates met with Byzantine theologians in Tarsus in 1196 and 1198, but in context of three- and four-way talks involving the Armenians and Jacobites. These were focused on theological matters, not jurisdictional. Furthermore, their purpose was to integrate the monophysites into the Chalcedonian

communion, not to reconcile the Greek and Latin Chalcedonians to each other.[38]

If Jerusalem was not the forum for such talks, it was still an autonomous church province and would ultimately require its own solution, rather than being included in any Rome-Constantinople rapprochements. We must leave open the possibility that the Greek Patriarchs of Jerusalem and Antioch, living in Constantinople, may have participated in the Rome-Constantinople talks which did occur in the 12th-13th centuries (see ahead). The abbots of the Laura of Mar Saba, near Jerusalem, did not represent the community to such a level of responsibility, and their dealings with the Latin Church, useful in the first decades of the Crusader occupation, declined thereafter as Byzantine-Jerusalem relations normalized.[39]

The lack of inter-ecclesial activity in the Levant leads us to consider whether Catholic-Orthodox conversations in Byzantium may have included the Melkite Patriarchs and so have determined the status of the Melkites in Syria and Palestine.

The Papacy did carry on extensive correspondence with the Byzantine civil and religious administration during the 12th century.[40] Rome was anxious to accomodate the Eastern Church as a means of playing the Eastern Empire against the pretentions of the German Roman Empire, and the later Comneni were eager to find WEstern allies against the Turks, and also against the Normans. Pope Alexander III (1159-1181) and Emperor Manuel I (1143-1180) were especially active in these negotiations which culminated in the papal mission to Constantinople around 1160, followed by Manuel's embassy to King Louis VII

and the pope in 1163-64.

Rome also carefully followed the synods held in Constantinople during Manuel's reign. This monarch was an adept amateur theologian, and kept some Latins as his advisors in church affairs.[41] The shadow Melkite Patriarchs participated in many of the synods held in the capital, but none concerned union talks with Rome. (See Chapter Twelve, Topic 3.) The more intense dialogues which Bishop Anselm of Havelberg held with Nicetas of Nicomedia (1136) and with Basil of Ochrida (1155?) were unofficial, for Anselm first arrived in the Byzantine capital as a representative of the Emperor Lothair.[42]

Without exception, these dogmatic and political discussions of the 12th century bore no fruit.[43]

Direct talks with Byzantium were undertaken again in the mid-13th century after the Fourth Crusade's conquest of Constantinople. This time the actors were the Papacy and the Emperors at Nicaea. Emperor John Vatazes (1222-1254) made the opening towards Rome, and was unenthusiastically seconded by his Patriarch Germanos II (1222-1240), who nursed an anti-Latin bias stemming from the sufferings of the Greek Church under Latin rule.

This new initiative was halted after an incident in Cyprus, when 13 Greek monks were burned at the stake in 1231 under the new Latin Lusignan regime.[44] These 13th century conversations, but not those of the 12th century, did include jurisdictional problems, but relating only to the Byzantine homeland under Frankish rule, to Cyprus and to the situation in Antioch, and not to Palestine.

The content of all these various discussions -- what little we know of them -- concerned a short agenda of ritual and language customs, adjustments of credal formulas, and long-range proposals to accord sacraments and disciplines. But without waiting for any evidence that these matters were being implemented, the popes dispatched pallia to the Jacobite and Armenian Patriarchs, and the Maronite Patriarch obtained his from the Latin Patriarch of Antioch.

Why were the Melkite Patriarchs never treated in such a liberal manner? A tangible Church Union usually required some adjustment of jurisdiction, as we've noted for the Maronite and Armenian unions. Patriarch Ignatius of the Jacobites was careful to insist that his understanding with Rome did not subordinate him or his bishops to Roman discipline nor to any local Latin hierarchs. The same issues must have come up in discussions with the Greeks, but why did they not proceed even as far as the monophysite talks?

Part of the reason lies with the fourth characteristic of Roman oriental policy, described in Topic One (page 308). Less was expected of the monophysite churches than from the Greek Chalcedonians.[45] But this is an appreciation from hindsight.

The more elemental cause for the vagueness and failure common in Latin-Greek dialogues was that the Greek Patriarchs and higher clergy had been displaced by the Latins, while the hierarchy and clergy of the other sects were allowed to remain, in most cases. The following chapters will discuss in detail the nature and origin of the policies which led the Crusaders

to take such measures against the Melkites, measures which were not justified by ecclesiology but which hampered later Latin-Greek efforts to regularize relations.

We have seen, in Cahpters Nine and Ten, that the Palestinian Melkites were not singled out for special status in the civil realm.

Finally, we cannot argue from the existence of other church unions which Rome made, to the likelihood of a union with the Greeks or Melkites.

The reason for this is that in every case except the Maronites, the union agreements put to paper were never implemented, at least not in Palestine.

The age did not lack proponents of Church Union in every sect, though more often than not their irenicism advocated an appreciation of the profound unity behind apparent doctrinal differences, an appreciation which would render unnecessary any imposition of one hierarchy over another. And to be frank, these irenicists were isolated and without support among their own people.[46]

That each side should prove or disprove oriental church unions with Rome, based on the same documents and phrases, indicates less the prevalence of insincerity[47] than a pervasive failure to break through cultural, dogmatic, and linguistic differences in arriving at the accords. In most instances, the assent by Jacobites, Armenians, and Maronites to Roman union proposals were accepted at a different value than they were given, and vice-versa. Both parties heard and read what each

chose to believe. This must account in largest measure for the absence or breakdown of these church unions in the Middle East in the 12th-13th centuries.

* * * * *

The theological bases of church union were uncertain, because the understanding, sincerity, and credentials of the oriental primates were uncertain. The leaders of the local Frankish civil and ecclesiastical establishments in Palestine were not inhibited by the absence of dogmatic accords. The jurisdiction and activities of the native hierarchs had to be regulated in order to insure the primacy and security of the Crusader authorities.

Chapters Five and Six have explained the Frankish impact upon the Melkite Patriarchate and episcopate. Chapters Twelve and Thirteen which follow will explore the motives, justifications, and arrangements whereby the Melkite religious institutions were integrated into those of the Franks.

1. Claude Cahen La Syrie du Nord (1940) p. 333.

2. Henry Musset Histoire du Christianisme (1948) vol. I, p. 435.

3. Theo. Haluščynskij (ed) Acta Innocentii PP. III (Vatican 1944); Introductio, Liber I (pp. 19-45)
V. Laurent "La Croisade et la Question d'Orient sous le Pontificat de Grégoire X" (Rev. Hist. du Sud-Est Européen 22, 1945) 105-137.
Steven Runciman The Eastern Schism (Oxford, 1955) 78-101.
George Every The Byzantine Patriarchate (London 1962 ed.) esp. Chapter 14.
Wilhelm deVries Rum und die Patriarchate des Ostens (Freiburg, 1963) pp. 183-191, 223-224, 247-259, 328-340.
ibid. "Innozenz IV und der christliche Osten" (Ostk. Stud. 12, 1963) 113-131.
ibid. "Innozenz III und der christliche Osten" (Arch. Hist. Pontif. 3, 1965) 87-126.
Yves Congar "Quatre siècles de désunion et d'affrontement" (Istina 1958) pp. 131-152.
G. Alberigo "L'Oecuménisme au Moyen Âge" (Rev. Hist. Ecclés. 71, 1976) esp. pp. 370-389.

4. Jean-Maurice Fiey "Chrétiens syriaques entre Croisés & Mongols" (Or. Chr. Anal., 197, 1974) esp. pp. 332-4.

5. The history of these events is well known, but a demographic and political interpretation is given by G. Dagron "Minorités ethniques et religieuses dans l'orient byzantin à la fin du X et au XI siècle; l'immigration syrienne" in Travaux & Memoires, No. 6 (ed) Paul Lemerle (Paris, Centre de Rech. d'Hist. & Civil. de Byzance 1976) pp. 177-216.

6. Martin "Les premiers princes croisés et les syriens jacobites de Jérusalem" (Jour. Asiat. 12, 1888) 471-490 and (JA 13, 1889) 33-79; F. Nau "Le croisé lorrain Godefroy d'Ascha, d'après deux documents syriaques du xii siècle" (JA 15, 1899) 421-431.

7. W. R. Taylor "A new Syriac fragment dealing with incidents in the Second Crusade" (Annals of the Amer. Schools of Oriental Research 11, 1929/30) pp. 120-124 in particular.

8. Hefele-Leclercq Histoire des Conciles (Paris, Letouzey) vol. V:1 (1912) sub anno 1140. On the various dates given for this synod, 1140, 1141, and 1142, see Grousset Histoire, vol. II, p. 50, Röhricht Gesch. Königsreich Jerusalem (1898) p. 225, and Röhricht Regest. Regni Hier. No. 208, p. 52.

9. Musset, 482; Wilhelm deVries "Zum Kirchenbegriff der spätern Jakobiten" (OCP 19, 1953) p. 149.

10. Expositio Liturgiae, by Dionysius bar Salibi, (tr) Labourt (Paris 1903) pp. 33-100. deVries, op. cit., p. 147-9

11. Musset, 482-5; F. Chalandon Les Comnène (1912) II:2 653-659; Grousset Histoire, II, 472-474; Papadopoulos Hist. Ekkl. Antiocheia 938-40; Dölger Regesten, Nos. 1487, 1507; Hajjar Chrétiens Uniates (1962) 171.

12. Kawerau Die jakobitische Kirche (1960: 2nd ed.) pp. 86, 92; Musset 449, Grousset vol. II, pp. 176, 682-3; Anneliese Lüders Die Kreuzzuge im Urteil syrischer und armenischer Quellen (Berlin, 1964) 68, referring to Bar-Hebraeus Chron. Eccles. II 545.

13. Michel le Syrien Chronique (ed/tr) Chabot, XV:vii (= p. 183) and XVI:ii (= p. 222). Notice that Michael's statement of Latin criterion (worship of the Cross) is not the sort that he would apply himself to test orthodoxy of other sects; so his approval of its use by the Latins has nothing to do with theology and apologetics, and everything to do with the practicalities of co-existence. See also Lüders, 67-8, and Cahen La Syrie du Nord, 566.

14. Musset, 482-3; George Every "Syrian Christians" (1947) p. 47. The rulers of Jerusalem and Armenia also gave Theodore control over Jacobite ecclesiastical properties in their realms.

15. Raphael Chaba "La Primauté de Pierre et du Pape" in Il Primato e l'unione della chiesa (Cairo 1960) gives the texts of the profession of faith of Patriarch Ignatius (called Daoud al-Kaisumi, from his previous office) and of his maphrian, John, p. 212, note 81, derived from LeQuien OC. II, col. 1356 and Assemani BO, II "Dissertatio" p. vii.
See also Enrico Cerulli Etiopi in Palestia, vol. I (Rome 1943) cap. viii, Nos. 22, 26, & 27, and G. Golubovich Biblioteca, vol. II (Florence 1913) pp. 290-291. And also see Musset 581-2, and VandenBrincken (1973) 219-221, 230.

16. Tautu Acta Greg. IX, No. 227a, and Musset, 581-2. Rome was not invited nor attempted to intervene in the Jacobite-Coptic dispute of 1237-1240, when Egypt appointed a monophysite bishop for Jerusalem, in Patriarch Ignatius' territory. Ignatius in turn appointed a monophysite bishop for Ethiopia, in Egypt's sphere of influence; Bar Hebraeus Chronicon Syriacum, vol. II, section 94, pp. 653-664. Evidently Ignatius did not feel that his rapport with Rome should disturb his relations with the Copts.

17. Wilhelm deVries Rom u. die Patriarchate des Ostens (1963) pp. 188-190, 224-5, 248-9, 254-55, 332-334, etc. deVries "Innozenz IV" (Ostkir. Studien 12, 1963) 113-131. G. Alberigo "L'oecumenisme au moyen age" (1976) esp. pp. 371-5, V. Martin

"Pape. IV: Le pape & les églises orientales" (art). in Dict. Théol. Cath. (Paris 1932) vol. XI:2, cols. 1928-1944. Kenneth Setton The Papacy and the Levant (Philadelphia 1976) vol. I; and a monograph I have not been able to consult, A. Hayek Le relazioni della Chiesa Siro-Giacobita e S. Sede dal 1143 al 1656 (Doctoral Diss. at the Oriental Institute, Rome, 1936)

18. Bernard Hamilton "The Armenian Church and the Papacy" (ECR. 10, 1978) 61-87; E. Rey Les Colonies Franques (1883) 273-278; Acta Roman. Pontif., vol. I (Vatican 1943) (ed) Aloy. Tautu, Nos. 379-380 indicate Pope Gregory VII's interest in the Armenian Church, as early as the 1080s. J. Laurent L'Armenie entre Byzance et l'Islam (Paris, 1919) pp. 195-197, 219.

19. The Chalcedonian monastic reformer Nikon of Black Mountain, near Antioch (ca. 1025 - ca. 1091) championed the cause of the Chalcedonian Armenians, and tried to protect them from mistreatment at the hands of the Greeks, see his Letters 35 and 36 in Benešević Catalogue Cod. Manuscr. Graec....S. Catharinae in M. Sina, vol. I (St. Petersburg, 1911) pp. 584-596. Also C. J. Yarnley "The Armenian Philhellenes" (ECR, 8, 1976) 45-53.

20. Musset, 449, 484.

21. Musset, 484-5; M. Ormanian L'Eglise armenienne (Paris 1910) 49-50; [= The Church of Armenia (London 1912) p. 62-3]; Dölger Regesten, Nos. 1478, 1489, and 1505-06; A letter of Patriarch Michael III of Constantinople to Katholikos Nerses, in 1171, about Church union, is annotated in O. Mazal Die Prooimiender byzantinischen Patriarchenurkunden (Vienna, 1974), No. 128.

The Byzantines also resented the favored status of the Armenians in Muslim lands, which the Armenians earned for their military capabilities, and which they desired as a measure of self-protection, though this made them unpopular with most other Christians; see the statement from Chalcocondyles in Speros Vryonis The Decline of Medieval Hellenism in Asia Minor (1971) p. 196, note 351.

22. A. Ter Mikelian Die armenische Kirche inihren Beziehungen zur byzantinischen (Leipzig, 1892) esp. pp. 83-116. The Greek hierarchs Nilus of Calabria and Metropolitan Eustratios of Nicaea were condemned in 1090 and 1117 respectively for language they used in tracts which they had written in their debates with Armenians in defense of Chalcedonian orthodoxy! See Jean Gouillard "Le synodikon de l'Orthodoxie" in Travaux & Memoires, No. 2 (Paris, 1967) part 2, pp. 202-205, 206-07. The inherent difficulties of communication across cultural boundaries, between Byzantium and the Oriental Christians, is highlighted in Dagron (1979), op. cit., p. 213:

> Les Byzantines ont compris ces mouvements d'immigration et les modifications de structures qu'ils ont provoquées comme une manifestation de l'hérésie, et s'est developpée

en effet au XI siècle une sorte de culture des confins où se pendent les definitions traditionnelles de l'hellénisme et du christianisme.

23. E. Ter Minissiantz Die armenische Kirche in ihren Beziehungen zu den syrischen Kirchen (Leipzig, 1904) p. 131.

24. Acta Roman. Pontif., vol I (Vatican, 1943) (ed) A. Tautu, No. 395 (pp. 811-813).

25. Musset, 485-6, 454.

26. Text in Golubovich, op. cit. vol. I, p. 159 & discussion in vol. II, p. 290. At this same time, the Cilician Armenians, during a period of pro-Byzantine policies, formalized a Church Union with the Greeks; O. Mazal, op. cit., No. 167.

27. Jean Richard "La papauté & les missions catholiques" (Mélanges École Frac. de Rome 58, 1941/46) p. 257.

28. Wilhelm deVries Der christliche Osten in Geschichte u. Gegenwart (Würzburg, 1951) p. 96; vanDenBrincken, op. cit., 188-190. Basilio Talatinian "Il Primato di Pietro e del Papa nella chiesa Armena" in Il Primato e l'Unione della Chiesa (Cairo, 1960) p. 217-353, containes the texts of letters of Katholikio Gregory VI and John IV to Pope Innocent III in 1199 and 1203. Jacques de Vitry, Latin bishop of Acre in the 1240s, was aware of the hollowness of the Armenian Union, and its lack of implementation; his Hist. Orient. cap. 78.

29. B. Spuler "Die Maroniten" in Die morgenländeschen Kirchen (Leiden 1961) p. 220; Musset, 567, n. 4; George Every "Syrian Christians in Jerusalem" (ECQ, 1947) p. 46; Grousset Histoire, II, p. 757-8. Maronite monks approached the Nestorian Katholikos around 800 AD, Raphael Bidawid Les Lettres du... Timothée I (Vatican 1956) [Studi e Testi, 187] No. 41, pp. 91-125.

30. Jacques de Vitry, cap. 77; Musset, 447; Grousset, II, 758; K. S. Salibi "The Maronite Church in the Middle Ages and its Union with Rome (Or. Chr. 42, 1958) 94-106.

31. Jos. Feghali Histoire de droit de l'église Maronite (Paris, 1962) p. 25-29; Tobias Anaissi Bullarium Maronitarum (Rome, 1911) items Nos. 1-5.

32. Musset, 567; vanDenBrincken, 168-171.

33. Musset, 448; vanDenBrincken, 287-327; E. Rey Les Colonies Franques (1883) p. 82-83.

34. John LaMonte "A Register of the Cartulary of the Cathedral of Santa Sophia of Nicosia" (Byz. 5, 1930) No. 19, from January 1222, concerns efforts made to force Cypriot Syrians, Nestorians, and Jacobites to submit to the Latin Archbishop of Nicosia (p. 452).

35. While Runciman excluded the Georgians from the Greek-Roman union, Jean Richard thinks they were included, "Les Géorgiens de Jérusalem & le Patriarche Gibelin", the 2nd essay in "Quelques textes sur les premiers temps de l'Église latine de Jérusalem" in Recueil de Travaux offert à M. Clovis Brunel (Paris, 1955), 420-430 of vol. II.

36. Dvornik Byzance et la primauté romaine (Paris, 1969) p. 12 and note 3.

37. Chr. Papadopoulos in (Theologia 1938) pp. 112-117 especially.

38. F. Chalandon Les Comnène (1912) vol. II:2, esp. page 657.

39. As in the restoration of the native Christian clergy to their places inside the Holy Sepulcher, after the episode at Easter in 1101.
In the various accounts of the Easter Fire incident in 1101, only Matthew of Edessa (Armenian) attributes the Fire's failure to appear to the Franks' exclusion of non-Latins from the Sepulcre and other sites, RHC: Armen. I, cap. xxi (= pp. 54-55). The Fire descended when those evils were remedied. In the accounts of Ekkehard, Cafar of Genoa, the Gesta Francorum, Fulcher of Chartres, and Guibert, Greeks, Syrians, Armenians et alii participated in the joint Easter services with the Franks. See also S. Runciman The Eastern Schism (1955) pp. 87-88.

40. W. Norden Das Papsttum und Byzanz (1903) pp. 88-107. F. Chalandon, op. cit. chapter 21 (pp. 555-570). Acta Roman. Pontif., vol. I, e.g., Nos. 385 (AD 1112), 387 (1154), & 391 (1168).

41. P. Classen "Das Konzil von Konstantinople 1166 und die Lateiner" (Byz. Zeit. 48, 1955) pp. 339-369; Chalandon, cap. 22:iv (= pp. 632-663).

42. On Anselm, the talks were held in Constantinople (1136) and Saloniki (1155), per Choniates Chronicon (Bonn ed.) Reg. Manuel., VIII:vi. See also Golubovich, op. cit., vol. I (1906) pp. 163-169, and G. Alberigo "L'Oecuménisme au moyen age" (1976) pp. 373-4. Norman Russell "Anselm of Havelbert" (Sobornost/ECR 1979-80).

43. Some Muslim diplomas suggest Melkite obedience to the Roman Church, even into the 14th century; Bosworth (1972) p. 68, n. 2; J. Nasrallah "Les historiens musulmans" (1978) p. 112-114, and "Le Patriarcat d'Antioche" (Istina 1976) 375-6, contrary to the views of Bernard Leib.

44. The Letter of Patriarch Germanos II to the pope, of 1232, is a masterful composition, combining barely-restrained indignation at papal policies, and resigned support for further

negotiations; see O. Mazal Die Prooimiender (1974) No. 161.

On the events in Cyprus which poisoned Rome-Constantinople relations, see Joseph Gill "The Tribulations of the Greek Church in Cyprus, 1196-1280" (Byz. Forsch. 5, 1977) esp. pp. 79-80, and Harry Magoulias "A Study in Roman Catholic and Greek Orthodox Church Relations in the Island of Cyprus" (Grk. Orthod. Theol. Rev. 10, 1964) esp. pp. 81-2.

45. See also Cahen 331-2, and Musset 447, note 3.

46. Some notable irenicists from our period:

Elias [Bishop?] of Damascus (Nestorian) (9th century); his Tractatus de Concordia Fidei, in Assemani Bibl. Orient. III:1 pp. 514-516, and discussed in W. deVries Der Kirchenbegriff der von Rom getrennten Syrer (Rome 1955) [Orient. Christ. Analecta, 145] p. 127, n. 35.

Naẓif ibn Yumn (Melkite) (fl. 970-1005) of Baghdad; Joseph Nasrallah "Nazif ibn Yumn, médecin, traducteur, & théologien melchite" (Arabica 21, 1974) 303-312. Also J.-M. Fiey "Rum à l'Est de l'Euphrate" (Le Muséon 90, 1977) p. 399 ff.

Yahya ibn Jarīr (Jacobite) (+ ca. 1080) author of the Book of Leaders; see deVries, op. cit. p. 93, note 78, and "Dialogue islamo-chrétien", part II, in (Islamochristiana 2, 1976) pp. 217-218.

Ali ibn Dawūd al-Arfadi (Jacobite?) (12th cent.). Gerald Troupeau "Le livre de l'unanimité de la foi" [Arabic/French] (Melto 5, 1969) 197-219.

Paul al-Rāhib (Melkite), bishop of Sidon (fl. 1140-1180). Paul Khoury Paul d'Antioche, évêque Melkite de Sidon (Beirut, Imp. Cath. 1964) esp. the treatises translated as "Unicité et union" (pp. 123-202). See also "Dialogue islamo-chrétien" part II (Islamochristiana 2, 1976) 232-233.

Nerses of Lampron (Armenian) Bishop of Tarsus (+ 1198). Claude Cahen La Syrie du Nord (Paris, Geuthner 1940) p. 565; Charles Frazee "The Christian Church in Cilician Armenia; its relations with Rome and Constantinople to 1198" (Church Hist. 45, 1976) 166-184. M. Ormanian L'Église Arménienne (Paris, Leroux 1910) 51-52 (Eng. ed. 1912) 65-67. Ter-Mikelian (1892) op. cit. 109-112, etc.

Katholikos Denha I (Nestorian) (1265-1281)

Maphrian Gregory Abū'l-Faraj, Bar-Hebraeus (Jacobite) (+1286)

47. See this Chapter, notes 13 and 28, and Ormanian, pp. 49-51 [= 1910 French ed.] or pp. 62-65 [= 1912 English ed.]

CHAPTER TWELVE

Some Motives of the Latin Acquisition of the Jerusalem Patriarchate

The events which led to the ending of the Greek succession of Patriarchs in Jerusalem and Antioch have been presented in Chapter Five. We deferred to this Chapter the task of explaining the value which the Latin Church placed on its exclusive control of the Patriarchate.

Chapter Eleven has shown how uninfluential were the purely dogmatic, ecclesiological aspirations of the Roman churchmen to direct the actions of the Crusaders. The Greek Patriarchate was one of the first native institutions dealt with by the Crusaders; their Kings were a novelty for Palestine. Why did the Franks take such an interest in the Patriarchate? We've seen that Church Union was not an explicit motive.

On the other hand, why did the Greeks wait so long to challenge Latin pretentions? Were they waiting to see what the Latin intentions were, or had the past decades (centuries!) of hardships reduced the Palestinian church province to such impotence?

One other party must be included in this discussion, the Byzantine Empire, because the flow of Byzantine-Frankish relations affected the plans of the Greek Church for Palestine.

The first thing we shall point out is that the Latin Patriarchate of Jerusalem, like the others which followed

(Antioch and Constantinople), was set up without reference to Rome, whose approach (we suggest) would have been different, less abrupt.

The interests of the Crusader regime for internal security and an external alliance with Byzantium constrained the two sides to reach a compromise, neither the Melkites openly challenging the spiritual hegemony of the Latins, nor the Latins hindering the local autonomy of the Melkites. The Latin reaction to the visit of the exiled Greek Patriarch Leontios exhibits the former policy, and the difficulty the Roman Church had in imposing her tithe on non-Latins, the latter.

Despite these limitations, the Latins' control of the Patriarchate was a very effective tool in creating a real Latin hegemony over all the native Christians, especially the Melkites. The Jacobites and Armenians, for instance, kept their own bishops in the Holy City and elsewhere in Palestine, as the episcopal rank was no threat to the Latin primacy. But the Melkites were deprived of their spokesman and rallying point because his Patriarchal rank and dignity did threaten the Franks. It was this loss of leadership which has rendered the Melkites so inconspicuous in the documents of the period.

1. Church Union and its Effect upon the Patriarchate

The Crusaders' replacement of the Greek Melkite Patriarchs of Jerusalem with incumbants of their own race certainly bespeaks a conscious attempt to integrate the Greek and Latin Chalcedonian

churches. The awkwardness of the lack of any formal doctrinal agreement between the two sides was compensated by the utility of having control of the Patriarchate. This does not prove the existence of a formal union of the two churches.

The erection of Latin candidates in all three of the Oriental Patriarchates (Jerusalem [1099], Antioch [1101], Constantinople [1204]) was accomplished without any reference to Rome. The Crusade leaders took the initiative, following their own agenda of apportioning the spoils of victory. In the end, Rome accepted the arrangements and strove to provide stable transitions between incumbants, suitable candidates for the primal and suffragan sees, and recognition of her suzereinty over them.

The prior experience of the papacy in southern Italy (1070s-1090s), and its later experiences in Greece (1210s-1240s) lead us to think that the Papacy would have preferred straightforward negotiations with the Greek incumbants, individual by individual, and so to ascertain at least canonical grounds for replacing them if they refused to submit to Rome's claims.

The imperative felt by the Crusaders to begin a Latin succession sprang as much from <u>national</u> exigencies as from <u>canonical</u> niceties. That is, the Latins would not be ruled in religion by other than their own race. And from a canonical point of view, the presence of a mere Greek-Melkite bishop would not have courted removal as much as did a Patriarch. As we shall note in the final Topic of this Chapter, the Latins

never tolerated the presence of a non-Latin primate in the same See; if they could not remove the non-Latin incumbant, the Latins removed themselves instead.

From another angle, which we may call proprietary, the Greek Patriarchal office was seen by the Crusaders to be subsumed into their own Latin succession. The Frankish king of Jerusalem was a Latin king of a Latin people, not in succession to any prior, analogous regime (see Chapter Thirteen, Topic 4 at note 46).

But the Latin Patriarch was more general in his claims, and though he was a Latin, this only concerned his Rite, and was not a restriction of his jurisdiction to a Latin race or nation (see Chapter Eleven, p.304). He was a Patriarch of Jerusalem exactly as had been his predecessor Simon II. The composition of the ruling élite had changed from Byzantine Greek to Roman Latin, and so the electoral ranks of the Patriarchate -- bishops and canons -- altered accordingly, and these naturally elected a Patriarch of their own Rite.[1]

While the Frankish king of a Latin people governed his non-Latin subjects by right of conquest, the Latin Patriarch governed the non-Latin Christians according to canonical legitimacy.

This simplistic legal point of view does not exhaust the spectrum of Frankish attitudes. The Crusaders also viewed the change as an opportunity to affirm the Church of Jerusalem's recognition of the Roman church and her Petrine claims to universal jurisdiction, whereas the hierarchy of Simeon II and

his predicessors had not clearly done so. The mutual excommunications of 1054 between Rome and Constantinople did not apply as such to the other Patriarchal Sees, but Rome's communications with Alexandria, Jerusalem, and Antioch had not been regular, and knowing that these Sees were linked to the East Roman religious tradition, the Popes and Latin Westerners in general did not feel comfortable with the dogmatic rectitude (and hence, obedience) of the Oriental Christians judged by Roman standards.

So tieing a change of ecclesiastical organization to the erection of a new civil regime was a neat way of regularizing the good standing of the Church of Jerusalem in Western eyes.[2]

Norman Daniel makes the intriguing suggestion that the Crusaders looked upon all gains made in their conquests as "restorations" to the See of Peter in Rome. Such an attitude would lead them to disappreciate the existence and claims of the native Patriarchs.[3] The historical distinction important to the Papacy (point #3, p. 307, Chapter Eleven), between those regions which had once belonged to the jurisdiction of the bishop of Rome (such as southern Italy) and those which never had (Palestine), was not always appreciated by the Crusaders. Their own motives turned canonical distinctions upside down, as these two statements from the period exemplify.

The first is the oath sworn by Robert Guiscard as he set about creating a principality from the Lombard and Byzantine areas of southern Italy (ca. 1060):[4]

> Omnes quoque ecclesias, que in mea persistunt dominatione, cum earum possessionibus dimittam in tuam potestatem [the papacy], et defenso ero illarum ad fidelitatem Sanctae Romanae ecclesie....

The other is the more ambitious epitaph on the sepulchre of Prince Godfrey, placed in the Resurrection Basilica in Jerusalem about 40 years later (ca. 1100):[5]

> Godefridi qui ipsam civitatem Hierosolymam a Saracenis invasam et Turcis gladio et sapientia recuperavit et Christianis restituit, Patriarcham a paganis ejectum in sede sua relocavit, clerum in ipsa ecclesia instituit, stipendia ei, ut Deo militare valeret ordinavit.

The Norman oath is careful not to call Robert's gift to the Church of Rome a restitution of rights and possessions formerly hers, though this was the papal claim. While in lands three months to the East, the epitaph implies that Prince Godfrey was restoring right order in establishing a Latin Patriarchate.[6]

The narrow degree of schism which (to some minds) separated Latin from Greek Chalcedonians allowed this proprietary approach to seem reasonable, and masked the political and administrative conveniences produced by the take-over.

Still, an effective Church Union could not just be imposed; it ought to be accepted by somebody. Yet we have seen that there remained no one with whom to negotiate in Crusader Palestine, certainly no one willing to accept the responsibility for negotiating; no Patriarchal vicar, no bishop or abbot.

The generally stable relationship between the Byzantine Empire and the Latin kings of Jerusalem -- at least on major issues of ecclesial relations -- had allowed the Melkite

Patriarchate to succumb to impotence. The incumbants soon withdrew from the mainland, and seem to have sought no occasion to challenge Latin religious suzereinty for a few decades.

So the Latins quickly settled for a de facto Union with little substance and no documented foundation; only the takeover of the Patriarchate allowed it some semblance of reality. While she failed to impose effectively her tithe on all Christian inhabitants, and was unable to seize all the local Christian incomes and lands, or to evict their lower clergy (not to say that the Latin Church even desired to do these things!), and even had to permit some non-Latin bishops to exercise their duties, the Roman Church in Palestine held uncontested the Patriarchal throne of Jerusalem. The Franks did not even bother to set up or encourage "uniate" Melkite bishops for their Melkite subjects, though as the Chapter on Bishops will make evident, we know nothing about the Melkite bishops who did function in Latin territory, other than some of their names. So we cannot say for certain that they did not come to some accomodation with the Latins as a price for being able to carry out their duties.

Perhaps too much emphasis has been placed on the fact that it was the Greek Patriarch of Jerusalem whose office was usurped, when in fact it was the only Patriarch of Jerusalem, as we've shown (Chapter Four). If the Oriental churches were less strict with ecclesiastic titles, the Latins were not, and felt much less threatened by the presence of a suffragan Jacobite

bishop and an Armenian metropolitan in the Holy City than by a fully autonomous Patriarch.

The effective usurpation of the Patriarchate of Jerusalem during the 12th century was practically the only tool the Latin Church had by which to construct an hegemony over the Melkites and other Chalcedonians. But it was enough to reduce the local Melkites to a very restricted condition, even more circumscribed than their Jacobite and Armenian neighbors. For while the non-Melkites had no resident Patriarchs in Jerusalem themselves, they did have their own bishops in the city, and their Patriarchs resided in Arab lands, out of the reach of Rome. These primates could, and did, make periodic visits to the Crusader realms to insure the well-being of their flocks, a thing impossible to the Melkites, save for the one visit of Patriarch Leontios, which we shall next address.

Were there, then, no challenges to Latin spiritual hegemony at the Patriarchal level? Did the exiled Greek Patriarchs and the Byzantine rulers attempt to alter the Frankish policies regarding the Melkites?

2. The Shadow Patriarchs; the Visit of Patriarch Leontios to Palestine

The regular succession of Melkite Patriarchs in exile, beginning with Nicholas around the mid-1120s, were not forbidden to enter Palestine, whether they came from Cyprus or the Byzantine capital. It was the conflict of claims between the Latin and Greek Patriarchs which encouraged the former to discourage the latter.

The career of Leontios, abbot of the Greek monastery on Patmos and later Patriarch of Jerusalem, will give us a concrete instance of this clash of rival claims. We are fortunate to have a Vita of Leontios, the only Oriental Melkite Patriarch of the 12th century to receive such attention;[7] in fact, no personal writings of any of the Patriarchs of this period survive, save for John of Oxos' demission letters.

According to this Vita, Leontios left his native Macedonia as a very young man and went to Byzantium, probably around 1140, where he met his spiritual master, presumably one of his reasons for coming to the city. This teacher was an exiled bishop of Tiberias of Galilee. Not long after taking on Leontios (if that was his name before entering religion), the bishop determined to return to his native see in Palestine. Leontios was not yet, it seems, in monastic vows, but as his spiritual guide planned to take him along, he submitted to the bishop's wish. So the old man and the lad took a boat to the Levant, first reaching Patmos. They stayed at the monastery of St. John the Theologian, which had been founded by St. Christodoulos about 70 years before, after the saint returned from a visit to the Holy Land (see Chapter Seven, p. 167). They then sailed to Cyprus, but winter had set in so they had to wait there until spring would allow safe passage.

During their sojourn on the island, Leontios thought often of the Patmos monastery, and soon decided it was senseless to travel any further, as his aspirations seemed to be

capable of fulfillment at Patmos. So when the old bishop prepared to sail again in the spring, Leontios asked permission to turn back. The father granted it, and their ways parted; the future Patriarch would never again see his first master in this life.[8]

Leontios was accepted by the monastic family of St. John the Theologian, and for the next 20 years he lived a life hidden from the world. His superiors soon noted not only his humility and virtuous character, but his ability to shoulder responsibilities. They sent Leontios to a daughter house on Crete, and then to a house on Chalkè called Holy Zion. Finally he was elected abbot of St. John's and re-enters history. He is named in a number of imperial documents regarding the exemption privileges of his monastery, grain allotments, and duties on shipping. Crete was an important source of grain for the islands, and a complex series of claims and charges involving the official on Crete responsible for grain rationing necessitated that someone seek redress at court.[9] Leontios' own pupil, Anthony, was selected, but as he did not want to be separated from his abbot, they both sailed to Constantinople.

The saint's reputation (for so he was to become; feast on 14 May) had preceeded him, and while the drungarios detained Leontios by dragging out the monastery's case, he and the Emperor Manuel attempted to settle various vacant Sees on Leontios; first Russia (when Metropolitan Constantine (1166-?) of Kiev died?), and then Cyprus (after archbishop John (1152-1170)?). But each time he refused, for as he told Anthony,

God had ordained a Patriarchate for him. Around 1173/75 the See of Jerusalem fell vacant,[10] and when the emperor offered him this, Leontios accepted.

This is the critical point in the story; Leontios and Anthony left the capital a short time later to return to Patmos, where the new Patriarch left Anthony behind as _economos_ (presumably the chapter proceeded to elect a new abbot), and Leontios continued to the Holy Land. Why did he do so? Had the emperor charged him with such a mission?[11]

Just a few years before (ca. 1166), Athanasius III was able to end his exile in Constantinople and enter his Patriarchal basilica in Antioch, remaining there until he was killed in an earthquake in 1170/71. After the Byzantine-Frankish accord signed in the capital in 1171 between King Amalric I and the emperor Manuel, the time may have seemed appropriate for the restoration of the Melkite Patriarchate in Jerusalem. Did the treaty of 1171 include a clause to this effect? We can only look for clues in the subsequent experiences of Leontios.

After a stop at Rhodes, the new Patriarch reached Cyprus and again lengthened his stay, this time to settle a dispute involving the _Metochion_ of the Patriarchate of Jerusalem on Cyprus over the confiscations of its produce by the local bishop and a royal _phyrologos_. Leontios was eventually free to continue, and his ship landed at Ptolemais/Acre. Various miracle stories -- mostly healings -- now enter the account.

When he reached the Holy City via Nazareth, the Greek Patriarch performed his devotions at the Holy Sepulcher privately, to attract no attention. His next miracle was evoked by the drought afflicting the city, which he ended by a large rainfall induced by his prayers. His fame made it impossible to disguise his presence, and so the Latins were stirred into action.

The year was probably 1177-78, the time of the ending of the minority of the leper king Baldwin IV (1174-1177-1185), when the barons' loyalties were being divided by the ambitions of Baldwin's sister Sibyila and his half-sister Isabella and a series of their husbands and suitors.[12] The Latin Patriarch was Amalric (1158-1180), former prior of the Holy Sepulcher.

Some anonymous zealots send swordsmen to assassinate the visiting Greek hierarch, but were foiled by a blinding light which prevented them from finding the doorway of the house where Leontios was staying. Vindicated over his foes, Leontios' notoriety reached even the distant Greek emperor. Manuel recalled him to Constantinople however, lest he suffer any further injury.

The Emir of Damascus, who would have been Salah al-Din Yusuf, Sultan of Egypt (1171-) and of Damascus (1174-), invited Leontios to settle in the Syrian capital, where he offered to give him the Church of the Theotokos and provisions for him and his party. Such a move was quite in keeping with Salah al-Din's policy of wooing the native Christians away from the Franks, even the native Chalcedonians.[13] Although they

were tied to Byzantium, the East Romans were no threat to the Sultan, but rather a useful balance against both the Franks and the Suljuqs of Rum.

Leontios politely declined Salah al-Din's offer, giving as his only excuse the emperor's order to return to Byzantium. But he did request letters of safe-passage to use against pirates on the sea journey, and these the Sultan provided. The Ayyubid's favor towards Leontios had other benefits for him as well, for the Latins ceased to harrass him when they learned of his correspondence with Damascus, and the Patriarch was allowed to celebrate publicly the divine liturgy at the Resurrection Basilica. A deed of 1173 between the Hospitallers and the Melkite Archbishop Meletios of Gaza mentions that Greek clerics regularly functioned in the Holy Sepulcher.[14]

Although Leontios seems to have wanted to stay on, he finally left Palestine; the Latins were still uncompromising in their pressures to have him leave, and the emperor's request must have been rather firm. Was Leontios' presence in the Holy Land complicating Byzantine-Frankish relations?

Leaving a trail of miracles in his wake, the Patriarch travelled back to Constantinople *via* Rhodes, and was given a warm homecoming by the emperor. Whether Manuel had further plans for Palestine involving Leontios, we are never to know, for the Emperor died in September of 1180, within a year or so of Leontios' return.[15] The *Vita* indicates that he lived through the terror of Andronicus' reign (+ 1185), though he was in ill-favor with that tyrant, and his disciple Anthony

urged him to seek safety on Patmos. Leontios died in the capital[16] during the reign of Isaac II (1185-1195).

We suggested that Leontios was commissioned by the emperor to assume his duties in Palestine, based on the arrangement made in 1171 with the King of Jerusalem. The cold reception he received there leads us to doubt this. More likely, if the restoration of the Greek Patriarchate was included in the terms of the accord, the intent and vocabulary of the Greek and Latin parties probably differed. The Crusaders may have acknowledged the Greek Church's autonomy in general terms, and the Byzantine negotiators took this as carte blanche to send in their Patriarch for a full-scale restoration. Or King Amalric and Archbishop William of Tyre may have made promises with Byzantium which the later Regency refused to honor. Just as likely, Leontios acted largely on his own, motivated to visit the Holy Land out of piety and a sense of completing his curtailed pilgrimage as a young man 30 years earlier. Leontios was certainly caught up in the piety of pilgrimage to the Holy Land which we have found to be linked to the monastic reform movement of the period. He also seems to have trusted too much in the prestige of his office.

3. Policies and Responses of the Byzantine Court

The East Roman State had always taken care to provide the Church with adequate endowments, supported missionary efforts, and aided bishops and churches suffering the devastations of war. As the State had patronized the Church in

the expanding border regions, so the Church expected assistance when the Empire's boundaries shrunk and the church's institutions were toppled. Yet when the Muslim invasions of the 7th century prevented the election of new patriarchs in the Oriental Sees, Constantinople made only modest efforts to aid the local hierarchies to continue the successions. The local faithful eventually reestablished their patriarchates, but relations with Byzantium, while fraternal, were never stable.

After the Byzantine re-entry into Syria in the mid-10th century however, the See of Jerusalem was brought back into the Eastern Orthodox mainstream, and many 11th century Patriarchs of Jerusalem visited the East Roman capital.

When the Franks set up a Latin Patriarchate in the Holy City however, emperor Alexis did not attempt to influence the responses made by the local Greek Church to this event; Patriarchs Symeon, John, and Sabas had to find their own ways of dealing with the Crusader occupiers.

Perhaps the Emperor hesitated to act because part of the Jerusalem province was still free of Frankish control -- Gaza and Ascalon, Philadelphia and Bostra, etc. But far more of ecclesiastical Antioch was unoccupied by the Franks, and shadow patriarchs were established there. Of course, Patriarch John of Oxos' departure from Antioch and arrival in Constantinople around 1100-01 may have forced the emperor's hand to have a successor elected when the exiled John resigned his office. Furthermore, the Comneni were especially anxious to be recognized as suzerain over Antioch and to restore the

Greek line of Patriarchs into Syria.[17] The byzantine emperors invested less energy in Palestine, for it lay beyond the areas temporarily reconquered by Byzantium in the tenth century, and so their claims were not as strong.

Runciman is correct to attribute some semblance of byzantine protectorate over the Holy Land and its Chalcedonian inhabitants to the Roman Emperors' sense of responsibility for all Orthodox Christians, within and without their borders.[18] But this is a very vague sort of suzereinty, and did not move emperors Alexis and John to set up a shadow line of Patriarchs for Jerusalem.

As our first section has shown, and as Runciman admits,[19] the immediate successors to the deceased patriarch Symeon were not elected in Constantinople, but somewhere in the Levant, and appeared at the Imperial court only when the Emperor's advisors detected some diplomatic utility in them. Emperor Manuel either took the exiled Palestinian bishops under his protection, or simply began nominating candidates from among his own clergy, around 1150. Our first documented evidence for a shadow Patriarch of Jerusalem is the signature of Patriarch John [IX] to a synodical act of 1156/57.[20]

They were relegated into the shadows again as byzantine-Crusader relations improved in the 1160s-70s. The cold war between the two powers ended after the fall of Edessa and the disappointing gains of the Second Crusade, when a byzantine alliance seemed the only alternative for the Crusaders against the new Muslim champion Nur al-Din Zenghi. Emperor Manuel

reached a compromise over Antioch in 1158, and a joint byzantine-frankish campaign followed against Aleppo in 1159. King Baldwin III of Jerusalem married Manuel's niece Theodora in 1158. King Amalric I married another niece, Maria, in 1167, the year of the joint Greek-Frankish expedition against Egypt. A short time later (1171), the Jerusalem-Constantinople alliance was confirmed in the Byzantine capital, as we've noted above.

A rather different version of this phase of Byzantine-Frankish relations involving religion is presented by E. A mann:[21]

> Depuis la mort de Siméon (1099), on n'avait pas songé à nommer de patriarche grec jusq'en 1142. À cette date, en vertu d'un traité passé entre Manuel Comnène et le roi de Jérusalem, on prit l'habitude à Byzance de nommer un patriarche [grec] de Jerusalem, qui pendant quelque temps encore résidera dans la ville impériale; c'est de là que vint le droit de nomination, ou tout au moins, de confirmation que s'attribue dorénavant le basileus relativement au patriarcat de Jérusalem.

Michael LeQuien attempted to create a similar sequence: the treaty made between emperor Manuel and prince Baldwin [sic!] of Antioch [in 1138 and 1142] allowing a Greek Patriarch to be sent to Antioch, was a model for similar arrangements made for Jerusalem.[22] Simon Vailhé and Archbishop Papadopoulos identified John IX Merkouropoulos as the Greek Patriarch of Jerusalem whom the Latins recognized by virtue of such a convention with Constantinople.[23]

John is known by his attendance at the Constantinople synod of 1156/57 and his Bios of John Damascene. This convention between the two parties would have had to take place before 1166, after which time another shadow Patriarch is known, Nicephoros. (On John IX, see Chapter Six, note 31.)

No sources are cited by any of these authors for this ecclesiastical understanding, and Professor Amann is evidently confused.[24] LeQuien was clearly intending to refer to the treaty between Manuel and Prince Bohemond III of Antioch in 1165, which brought the exiled Patriarch Athanasius III back to Antioch in 1166. There was no Byzantium - Jerusalem treaty in 1142 or thereabouts. In 1137 emperor JOhn had pressured prince Raymond of Antioch to recognize Byzantine suzereinty and at this time, Grumel suggests, the Emperor named the greco-norman monk Luke as Patriarch of Antioch in exile in Constantinople.[25] These Byzantine rights over Antioch were reasserted in 1142, though emperor John's death shortly thereafter minimized their significance.[26]

None of these efforts affected Jerusalem. The imperial court seems to have taken no interest in the exiled Patriarchs of Jerusalem until the 1150s. Patriarch John IX may have lived until 1166 or not,[27] but neither he nor his See benefitted from the various military and marriage alliances made by Manuel with Kings Baldwin III and his brother Amalric.[28]

We don't have the text of the 1171 treaty between Byzantium and Jerusalem,[29] but subsequent history leads us to doubt that it included any clauses about the Greek Church in Palestine. After all, the Greek or even the Chalcedonian population of the Latin Kingdom was small, and the state was far away from Byzantine territory; LaMonte finds little to support Byzantine claims upon Jerusalem compared to hers over Antioch.[30] Manuel undoubtedly felt he could achieve more in Palestine by following

his customary diplomacy, designed to keep his border states dependent upon him or distracted from attacking him. This was done by paying attention to second-tier states: thus, Jerusalem was encouraged to moderate Antioch, Antioch to threaten Armenian Cilicia, Aleppo to threaten Antioch and the Seljuqs of Rum, etc. If Latin Jerusalem was a useful ally, there was no incentive to irritate the Latins with the claims of the Greek Church.

The first three Comneni tried a range of tactics towards the Crusaders and their states, from firm military threats to pliable degrees of cooperation, and these accumulated many benefits, indirectly, for the Melkites of Frankish Syria and Palestine. After the death of emperor Manuel (+ 1180), Byzantine interventions into Syria and alliances with the Franks vanished, and the exiled Patriarchs of Antioch and Jerusalem became creatures of the imperial court.

4. Final Resolution of the Problem

The three or four short-lived shadow Patriarchs of Jerusalem after the death of the saintly Leontios (+ ca. 1190) lost some of their integrity. Emperor Isaac first appointed a favorite cleric of his, Dositheos, to succeed. Less than a year later, Isaac had his friend transferred to the more prestigious See of Constantinople, but Dositheos was finally deprived of both thrones by a synod in 1191, for a series of canonical irregularities.[31]

Similarly, the famous canonist Theodore Balsamon was given the Patriarchal title of Antioch around 1189, after a

series of near-phantom predecessors. Like them and like his confrère Dositheos, Theodore continued to live in the capital on the Bosphoros.

Emperor Isaac began negotiations with Salah al-Din immediately after the latter's recovery of Jerusalem (1187), and final terms were eventually reached in 1191 for the restoration of the Greek Church in the Holy Land. Neither Dositheos nor his successor Mark entered Palestine, nor did any shadow patriarchs of Antioch attempt to reach their See until Mongol times. The distracted and unenergetic attempts of Byzantium to restore the status of the Melkites left a vacuum which, it seems, was filled by native candidates for the thrones of Antioch and Jerusalem, just as had been the case immediately after the Crusader conquests.

We don't know exactly how or when the Greek hierarchy was fully restored in the Holy Land. We know nothing about Dositheos' probably successor, Mark. His successor, Euthymios, was certainly to be found in Palestine, because he retired to Sinai and died there ca. 1223. An Athanasius was ruling in Jerusalem during the visits of Sabas of Serbia (between 1225/30 and 1233/37), and was killed in 1236 or 1244; his successor Sophronios is also considered a martyr, dying unnaturally in either 1244 or 1252.[32]

Despite these hardhips imposed by political insecurity, the Greek hierarchy was reconstituted in Palestine just about the time the Western Church was ready to renegotiate with them.

Prior to the reign of Pope Innocent IV (1243-1254), cases of overlapping hierarchies of different Rites brought about by conquests -- the Crusades -- led to a great deal of animosity and political posturing. When the Comneni Emperors were threatening to restore the Greek Patriarch to Antioch during the 1140s and again during the 1160s, the Latin Patriarch of Antioch was backed by papal threats of excommunication against any who would support his Greek rival. And less than a century later on Cyprus, during the 1220s-1240s, the Latin archbishop of Nicosia campaigned vigorously to persuade Rome to dismantle the Greek eparchy and to end the line of local archbishops.[33] But when, in both instances, a Greek primate was installed locally, his Latin counterpart packed his bags and left.

For their part, the Greeks often took up a hard position. As Patriarch John V the Oxite of Antioch declared in his statement to the Patriarchal synod in Constantinople, after leaving his primal see,

> I renounce the episcopal throne of Antioch...and will never exercise any task of a bishop for as long as I live, whether Antioch remains in its present state or if, by God's help, it is delivered from those who now govern the city. (note 34)

Patriarch Germanos II (1222-1240) of Constantinople, residing in the exiled capital at Nicaea, counselled accomodation to the Greek bishops of Lusignan Cyprus when the latter complained of the intrusions of the Latins, but hotter tempers in the council later altered his letters to calls for resistance.[35]

How would matters fare in Jerusalem, if Latins and Greeks were to meet together again? The Crusades of the Emperor Frederick (1229), Thibald of Champagne (1239) and Richard of Cornwall (1240-41) enabled the Franks to re-occupy Jerusalem (1229-1244) and increasingly larger portions of Galilee and connecting terrain along the Jordan River. But the Latin Patriarchs did not stir from their new residence in Acre to resume their cathedra in the Resurrection Basilica. This was not due just to the military insecurity of the Holy City; by treaty, the walls of Jerusalem were not to be rebuilt, and the Crusaders generally abided by this agreement, less by intent than by ineptitude and disagreements which prevented them from building the walls they would have liked. No, the principal cause which kept the Latin Patriarchs in Acre was that the Greek Patriarchs themselves had returned to the Holy City.

According to some authors,[36] the return of the Greek Patriarchs to Jerusalem challenged the Roman Church to reconsider its policies towards the native Melkites. In fact, nothing was really done until the final evacuation of the Franks from the Holy City in 1244, by which time an experiment had already been effected, not in Palestine but in Antioch. There, David al-Khoury was recognized by the Holy See as Patriarch of Antioch, not just of the Greeks but of the Latin Chalcedonians too; the Latin incumbant, Albert Rizzato, was withdrawn (ca. 1242).

After the Saracens were in control of Jerusalem, the papacy initiated some fresh approaches to the Melkites, now otherwise out of her reach. The papal legate, Fra Lorenzo da Orte, visited Palestine in 1246/47 and arranged for the Greek Church to be independent of the Latin Patriarch of Jerusalem (resident in Acre). The Latin Patriarch Robert (1240-1255) objected, and the pope overturned his legate's arrangement.[37] But two months later Innocent IV provided Lorenzo with a new formula for use particularly in Antioch, but which could work as well in Palestine, whereby those Greek hierarchs who had in the past been subject to the Latin Patriarchs would continue to do so, and those who hadn't in the past would -- like the Greek hierarchy on Cyprus -- be independent of the local Latin hierarchy, and so directly answerable to Rome "nullo medio".[38]

George Every concluded that "this line left much room for friction over details of interpretation", as Romans and Greeks would not even agree as to who had been subject to Rome in the past. In fact, there was not much friction at all, for in Palestine this meant that the Latin Church would have jurisdiction over Greeks only where it could do so, inside Frankish territory, and not beyond those borders. But by the time that Rome seriously undertook union arrangements in Cilicia (1198, with the Armenians), on Cyprus (around 1220, with the Greeks), in Antioch (with Patriarch Simeon, 1206-1208), and in Constantinople, most of Palestine had been recovered by the Muslims, and the small portion of the Greek community, which remained under Latin rule was considered a distinct community, no longer

in formal union with Rome.[39]

* * * * *

The military defeat of 1187, the fall of the First Latin Kingdom, and the partial recovery of the Third Crusade certainly weakened the ability of the Roman and Greek Churches to maintain the status quo in Palestine. The Fourth Crusade's capture of Constantinople poisoned whatever good-will remained, and the restoration of the Melkite hierarchy to Palestine was accomplished without any reference to the Roman Church.

Far from being a decline, we suggest that Roman-Melkite relations in 13th century Palestine were no better or worse than they had been in the 12th century, but they were less awkward, because the Latin Patriarchate was not in Acre, leaving the Melkite Patriarchs free to reside again in Jerusalem.

Byzantium's distant interest in the orthodox of Palestine was of limited importance. Byzantine benevolence permitted the shadow Patriarchs to reside in the capital and prevented the Latins from restricting the local Melkites. Within these limitations, the basic Latin interest in controlling the Patriarchate is clearer.

The office had not been seized as part of a doctrinal accord, formal or presumed, between Rome and Jerusalem; nor primarily as a consequence of Latin religious imperialism. In Jerusalem, as in Antioch, the Latin Church acquired the Melkite Patriarchates not because they were Melkite, but because they were patriarchates. That is, as the Frankish nation now ruled

in Syria and Palestine, the priestly and kingly high offices must both be in Frankish hands.

That this is a correct interpretation of the Latin priorities is shown by their treatment of the Melkite bishops, whom they neither challenged nor displaced, and indeed hardly integrated.

1. Emperor John Comnenos followed the same thinking; his agreement with Prince Raymond of Antioch in 1138 stipulated that the next Patriarch of Antioch was to be elected from among the Greek clergy, and would, obviously have jurisdiction over the Latin bishops and laity as well as those of his own Rite.

2. vanDenBrincken Die «Nationes Christianorum Orientalium» (1973) pp. 2, 8, 21, 77, 85.

3. Norman Daniel Islam and the West (Edinburgh 1960) Chapter IV, n. 2 (= p. 110, 348).

4. Peter Herde "Il Papato e la Chiesa greca nell'Italia meridionale dall' xi al xiii secolo" in La Chiesa Greca (Padua, 1973) p. 214, n. 2.

5. Theoderic Libellus de Locis Sanctis, Cap. 11, (ed) Titus Tobler (St. Gall/Paris, 1865) p. 27.

6. There was a tradition of papal sollicitude which operated outside the historical boundaries of the Western provinces, especially in Thessalonika and Palestine, up through the 7th century. This took the usual administrative form of designating a local bishop as a papal vicar or legate, and never envisioned erecting a local succession of Roman-rite hierarchs. See Assemani's "Vicariatus apostolicae sedis in Ant. & Hier. Patr. Ioannis Phila. Ap. a sancto Martino papa concessa", cap. xix in Iuris Orient. Canon. et Civilis, vol. iv (Rome 1764). See also the articles by Stickler and Congar in Communione interecclesiale collegialite; primato ecumenismo, (eds) d'Ercole and Stickler (Rome 1972) [= Acta conventus internat. de Historia sollicitudinis omnium ecclesiarum, 1967], and other books and articles by Giuseppe d'Ercole.

7. The Bios of Leontios was written between 1190 and 1207 by a monk of Patmos, Theodosius Goudela, living in Constantinople, according to the most recent analysis of Era L. Branouse Ta Hagiologika Keimena tou Hosiou Christodoulou (Athens, 1966) p. 78. For bibliographic references, see Krumbacher 90:1 (p. 205); Beck, p. 698; Petit (art) in DTC vol. 9 (Paris 1926) col. 426-7; Halkin Bibl. Hag. Graec. 985; Papadopoulos Hist. Ekkl. Hier. (1910 ed.) 400-401.

The standard printed version of Theodosios' Bios is printed in Λογοι Πανηγορικοι ιδ' τοῦ ἀρχιεπ. φιλαδελφείας κυροῦ Μακαριοῦ τοῦ χροσοκεφαλου (Vienna 1793), the pages concerning the journey to Palestine are 421-426. A slightly abbreviated version, in less archaic Greek, is printed in Νεον Ἐκλογιον περιεχον Βιους Ἀξιολογους διαφορων ἁγιων καὶ ἀλλαι τινα Ψυχωφελῆ διηγηματα (Ἐνετιησιν παρα Ν.Γλυκεῖ τῷ ἐξ Ἰωαννίνων, 1803) pp. 283-302.

8. The existence of this bishop of Tiberias received unexpected confirmation from the colophon in the Skevophylax

Codex No. 9 of Papadopoulos-Kerameos Hierosolymitikè Bibliothèkè, vol. III, p. 207. This dates from 1152/53, and refers to the archdiocese of Tiberias, the Melkite eparchy.

9. Miklosich & Müller Acta et diplomata Graeca vol. 5 (= vol. III of Acta & diplomata monasteriorum, 1887), No. 26, dated 6653/1145 (p. 104) concerns abbot Theoktistos of St. John's' No. 27, dated 6666/1157 (p. 106-109) also mentions abbot Theoktistos, and among the witnesses are Leontios, monk and protopresbyteros, and two Anthonys, monks, one also a hiereus, and the other presbyteros; No. 28, dated 6667/1158 is signed by the new abbot, Leontios (p. 110). Most of the privileges granted to St. John's are in this collection, but some of these are briefly analyzed in Dölger Regesten der Kaiserurkunden, fasc. ii (1925), including this first one of abbot Leontios, No. 1423 (p. 73). Dölger also lists an act from ca. 1161, in which abbot Leontios seeks relief from the Dux of Crete, No. 1439 (p. 75).

10. V. Grumel "Chronologie" (1940) p. 113-114; Musset Histoire (1948) vol. I, p. 478, n. 2.

11. What follows is an elaboration of suggestions made in Grumel, op. cit.p. 114 and Hotzeit "Kirchliche Organisation" (1940) p. 70.

12. R. Hiestand "Chronologisches zur Geschichte des Königreichs Jerusalem" (Deutsches Archiv f. Erforsch. des Mittelalters 35, 1979) 542-555.

13. George Every relates the friendship of Salāh al-Dīn for a Melkite of Jerusalem, Yusuf al-Batīt, who moved to Damascus and was often employed by the Sultan on diplomatic missions; "Syrian Christians in Jerusalem" (1947) p. 47. Claude Cahen's "Indigènes et Croisés" (Syria 15, 1934) p. 351-360 recounts the career of Abu Sulaiman Da'ud, from a Christian family of Jerusalem, who became a Muslim and moved to Egypt, but returned to Jerusalem as physician to King Aimery's son Baldwin. In turn Da'ud's son taught horsemanship at the Frankish court, and his family sympathized with Saladin's takeover of the Latin Kingdom, which Abu Sulaiman lived to see.

For a more general account of Ayyubid policies towards Christians, see E. Sivan "Notes sur la situation des chrétiens à l'époque Ayyubide" (Rev. Hist. Relig. 172, 1967) pp. 117-130.

See also J. Prawer Histoire (1969) vol. I, p. 517, 676.

14. Röhricht RRH, No. 502 and Delaville le Roulx "Trois chartes." (AOL, 1881), p. 414-415.

15. Papadopoulos suggests that Manuel was planning to visit Jerusalem in person, and to take Leontios with him; Hist. Ekkl. Hier. (1910 ed.) p. 401; (1970 ed.) P. 439.

16. Nicetas Choniates History of Isaac Angelos, Book II, cap. 4 [= Migne, PG, t. 139, col. 769] and W. Hecht "Der Bios des Patr. Leontios als Quelle zur Geschichte Andronikes I Komnenos" (Byz. Zeit. 61, 1968) pp. 40-43. Contrary to Every's suggestion, Leontios died in Constantinople, not in Jerusalem, op. cit. p. 49.

17. V. Grumel "Notes pour l'Oriens Christianus" (Echos d'Orient 33, 1934) pp. 54-55; John LaMonte "To What Extent was the Byzantine Empire the Suzerain of the Latin Crusading States?" (Byz. 7, 1932) 254-6.

18. S. Runciman "The Byzantine Protectorate in the Holy Land" (Byz. 18, 1948) p. 212.

19. S. Runciman Eastern Schism, p. 91.

20. V. Grumel "Chronologie" (1940) p. 113; F. Chaladon Les Comnène, p. 653-662; Jean Gouillard "Le Synodikon de l'Orthodoxie" (Travaux et Memoires 2, 1967) 210-221.

21. See his article "Jérusalem" in DTC, vol. 8 (Paris 1924) col. 1002.

22. Oriens Christianus (1740) vol. III, cols. 502-503.

23. Vaihé "Les Laures de St. Gérasime & de Calamon" (EO 2, 1898/99) p. 117, and Chr. Papadopoulos HEH (1910 ed.) p. 400 (1970 ed.) p. 438.

24. Hotzelt "Kirchliche Organisation" (1940) p. 69 also recognizes that Amann's claim is unsupported.

25. Grumel "Notes" (1934) pp. 54-55.

26. F. Dölger Regesten der Kaiserurkunden, fasc. 2 (1925) Nos. 1314, 1323, 1324.

27. Grumel "Chronologie" (1940) p. 113.

28. Dölger Regesten, Nos. 1435, 1436.

29. S. Runciman History of the Crusades, vol. II, p. 391. Nothing in Dölger.

30. LaMonte, Feudal Monarchy, pp. 257-264.

31. Grumel Actes, No. 1178; Papadopoulos H.E.H. (1910 ed.) p. 407; (1970 ed.) p. 446.

32. Chr. Papadopoulos ut supra, p. 478 ff; Papadopoulos-Kerameos Ahalekta Hierosolymitikès Stachyologías, vol. I,

p. 133; V. Grumel "La Chronologie des Patriarches grecs de Jérusalem au xiii siècle" (REB 20, 1962) 197-201. Also two MSS from AD 1236 with material attributed to Patr. Athanasius of Jerusalem, in V. N. Beneševic Catalogus (1911) vol. I, No. 254, No. 274.

33. The Latin archbishop of Nicosia, Hugh of Fagiano (1250-67), absent from Cyprus in Europe for over 2/3 of his term; MasLatrie "Histoire" (AOL. 1884) 236-7, and Hill Hist. Cyprus, vol. III, pp. 1055-1062; and the Latin Patr. of Antioch, Aimery (1142-96), exiled in nearby Qusair from 1165 to 1171; Cahen La Syrie, pp. 506-509.

Haluščynskyj, p. 33, offers an inadequate account, though he does at least explain how the Pope and the Latin Patriarch of Antioch found themselves pitted against the Prince of Antioch and much of the Frankish population, who appreciated the utility of bringing the Greek Patriarch back into the city.

34. Gautier, "Jean V l'Oxite", (1964) pp. 138-141.

35. Gill, "Tribulations" (1977) pp. 78-79.

36. Every (ECQ 1947) pp. 51-2; Hajjar, p. 165 & 178; Musset, I, 551-552.

37. Acta Innocentii IV (ed) Haluščynskyj (Roma 1962) No. 35, and G. Golubovich BBTS, series I, vol. 2, (Florence 1913) p. 352.

38. Acta Inn. IV, No. 39; Golubovich, ibid.

39. On this development, note Runciman Eastern Schism, p. 98, n. 3, and Cahen La Syrie du Nord, p. 684. Cl. Cahen suggests that Rome's attention to the Oriental Churches increased as she learned that unions with the Melkites, Armenians, and Jacobites, were a useful front against the stubborn resistance of the Byzantine Church, "L'Islam et la Croisade" in Storia del Medioevo (Florence 1955), p. 628.

CHAPTER THIRTEEN

Church Union and the Melkite Episcopacy

We have shown the nature and limitations of the papal approaches towards the Palestinian Melkites on dogmatic and disciplinary fronts. The third area of Roman policy towards non-Latins was jurisdictional. The papal strategy of East-West reconciliation often was merely to reassert Roman jurisdiction in the recovered areas and to place the hierarchies of the Oriental Churches under canonical obedience to St. Peter. This administrative strategy made a greater impact upon the Melkites than upon any other Christian sect. But was this subsequent to a Church Union, or was it effected without such support?

We have pointed out that any tangible Union between the churches would entail adjustments in episcopal jurisdictions where these overlapped among faithful of Latin and Greek rites. We must now attempt to discover what adjustments were made in Palestine and what were the policies and motives guiding the Roman Catholics. How were the non-Latin bishops integrated into the Latin hierarchy, if indeed they were at all? And to the extent that they were, does this bolster the claims of a formal Church Union between the Melkites and Rome in 12th century Palestine?

Almost nothing is known about the Melkite presence in Latin Palestine. In Chapter Six we provided some details on

the Melkite bishops who stayed behind. But we still lack any primary evidence about the Frankish attitude towards these Melkite bishops who continued to function inside Crusader territory. So we have drawn upon other related sources: the Frankish attitude towards Jacobite and Armenian bishops, towards Melkite bishops on Cyprus, etc. From these analogies, we infer what were the conditions of the Palestinian Melkites (see Chapter Nine, Topic 6).

We conclude that the lack of a Patriarch was the primary factor which explains why the Melkite bishops were given such little formal consideration in Latin documents, compared to that accorded the Jacobites and Armenians, whose primates continued to function in Arab territory. Consequently, the Melkite bishops had to function as suffragans or chorepiskipoi of the Latin metropolitans, as they did also on Cyprus and in the Calabria. But in Palestine, this was in a very restricted, national sense, which of itself cannot support claims of a Church Union with the Latins.

1. Background: Latin Ecclesiology concerning minority bishops

Roman practices in matters of jurisdiction were born from the combination of a primitive ecclesiology of one bishop in a city, and the Catholic experience of a relative cultural homogeneity in Western Europe after the 7th century. Overlapping dioceses had only been known from the Arian and Donatist movements, which were later seen as simply heretical events. Thus, Roman moves were quite straightforward in

southern Italy (after 1071), Cyprus (after 1193), and Greece (after 1204): only non-Latin bishops who assented to Roman jurisdiction were allowed to remain in their sees. As a rule of thumb, no Latin clerics or bishops were subordinated to a non-Latin bishop, for this detracted from the dignity of the normative Latin Rite.

Latin Chalcedonians found Greek Chalcedonians with their own rites, customs, and languages, of course. These differences were not ignored, but made a right claim for maintaining the distinct churches and hierarchies of the Greeks. In such areas of mixed populations, the Latin Rite had priority, but vicars (priests or assistant bishops) were assigned to care for the non-Latin portions of the diocese.[1] In none of these areas were non-Latin hierarchs excluded a priori; Western canonical practices didn't require this, nor Western xenophobia. Our examples from south Italy, Cyprus, and Palestine and Syria will show how conservative Roman policies were, though mitigated by the historical circumstances which pressured many native bishops to leave their sees just before the Franks arrived in Palestine, and the preferences of the Roman Church to minimize cultural and ritual differences.[2]

If local churches of different nationalities and customs in the same territory recognize each other's orthodoxy, the implied unity of authority need exist only at a very high level. Thus we find in the East a Latin-rite Patriarch claiming jurisdiction over all the churches in communion with him of what-

ever rite, though instances of double (overlapping) hierarchies remained at the local, episcopal level.

Even if, say, Greek bishops were deposed for refusal to submit to Rome, the pastoral needs of the faithful required that they be served by pastors of their own language and culture, and by their own bishops, if their numbers warranted it.[3] In the few instances where Greek hierarchs were allowed hegemony over territory which included Latin bishops, the latter were directly linked to Rome, to avoid inter-disciplinary conflicts; thus the Latin Patriarch in Antioch was kept subordinated to the Pope, not to the Uniate Patriarch David al-Khoury.

In the opposite case, as in the more numerous areas of Greek settlement given over to Latin hegemony (Cyprus), Pope Innocent IV detached the Greek hierarchy from subordination to the Latin Archbishop of Nicosia and was himself their immediate superior and protector.

Conditions in the Latin Kingdom were unlike southern Italy and Sicily; there, the hellenophone population was small and Latin colonization was energetic; the Greek Rite faithful were cut off from Byzantium and had little alternative than to accept Rome's terms if they were to survive and not be absorbed. In 12th century Palestine, Latin colonization was never to displace the Greeks, so that the Latins had to come to some compromise with the native Christians.

The Latin Kingdom also differed from Lusignan Cyprus; there, the Greeks were a majority (as in Antioch), and the Crusader regime had to not only compromise, but set apart a

clearly defined niche for the Orthodox in the civil and ecclesiastical hierarchy. In 12th century Palestine, the Melkites were hardly a plurality among the native Christians, which allowed the Latins to parlay among three or four major Christian sects. This significantly diminished the ability of the Melkites to obtain favorable terms and they benefitted nothing from the arrangements which the Maronites and Jacobites had obtained from the Franks.

We are now ready to see the actual ligaments of the Latin ecclesiastical system into which the non-Latin hierarchies were, to varying degrees, integrated. The Assises of the Latin Kingdom of Jerusalem give us the text which presents this problem in its classic form, in its depiction of the suffragan status of the Jacobite and Armenian bishops.

2. Integration of the Latin and Native Hierarchies, according to the Assises of Jerusalem: the Meaning of Suffragans.

The Assises of Jerusalem, as we now think of them, is an artificial collection made by le comte Beugnot for the RHC 140 years ago, based on documents which themselves were the result of legal redactions of customary practices of the Frankish East, done at various periods over the 13th and 14th centuries.[4]

In the so-called Livre des Assises de la Haute Cour, attached to the Livre de Jean d'Ibelin, we find a listing of the ecclesiastical officers of the Kingdom of Jerusalem. This roster in Chapter 261 does not limit itself to Latin Rite

hierarchs, but includes non-Latin prelates and eparchies in a remarkable pastiche.

While purporting to represent conditions of the First Latin Kingdom (1100-1187), this redaction was done in the late 13th century on Cyprus.. We can trust the Frankish jurists to have been anxious to transmit their earlier legal traditions faithfully. Yet some of the material and commentary included in this chapter obviously represents post-1187 conditions and we will try to identify these, to sort out what applies to the First Kingdom, and what thereafter.

Ecclesiastical Roster, cap. CCLXI et seq.[5]

> Le Patriarche de Jerusalem a cinq arcevesques suffraganz, ce est assaveir: l'arcevesque de Sur, l'arcevesque de Cesaire, l'arcevesque de Bessan (or Bethsem), qui est dit de Nazareth, l'arcevesque dou Bessereth, l'arcevesque dou Babbat (Rabbast, Barach) que les Grex apelent Filadelfe, qui, au tems le rei Amauri, fu translate au Crac (ou Krat), et est apellé l'arcevesque de la Pierre dou Desert.
>
> Et si a treis evesque suffraganz: l'evesque de saint Jorge de Lidde, l'evesque de Bethleem, l'evesque de Ebron, que on dit de saint Abraham.
>
> Et si a sis abbés et un prior suffragans: l'abé del Mont de Syon, l'abbé de la Latine, l'abbé dou Templi Domini, l'abbé de Mont Olivete, l'abbé de Josafas: et ces cinq portent mitre at croce et anel: et l'abbé de saint Samoel qui est de la Monjoie (ou Mongoie), qui porte croce et non mitre ni anel: et le prior dou Sepulcre, qui porte mitre et anel et non croce.
>
> Et si a treis abaeces suffragans: l'abaece de Notre Dame la Grant, l'abaece de sainte Anne, l'abaece de saint Ladre. Et si a suffragant l'arcevesque des Ermins (ou Ermines), qui est ou reiaume de Jerusalem, et l'arcevesque des Jacopins, et le Maistre de saint Ladre des Mesiaus (ou Mezaeus)

The following seven paragraphs in the document list the suffragans of the archbishops given above. We will pay attention just to the sites which were not taken over by the Latin Hierarchy, as outlined in Chapter Six.

The Five Archbishops. By referring to p.136, the reader will see that the Latin Patriarchal province of Jerusalem had four metropolitans, apart from the Patriarch himself: the two Latin archbishops of Caesarea and Nazareth, and later the archdioceses of Petra and of Tyre (the latter detached from Antioch). This Assises chapter adds a fifth, Bostra. We'll explain the text first, and then return to the problem of Bostra.

SUR = the Metropolitanate of Tyre.

CESAIRE = the see of maritime Caesarea.

BETHSEM = Skythopolis or Beth-Shan, the former capital of Palestine II. The metropolitan title was transferred to Nazareth, as described in Chapter Six.

BESSERET = Bostra, capital of the Byzantine province of Arabia, but listed in the church Notitia of both Antioch and of Jerusalem. In Chapter 261 we read this correct notice about Bostra:

> L'arcevesque dou Bessereth ne fu grant tens a en main de Latins, et por ce ne set on ces suffragans.

Though they never held it permanently, the Franks raided the town in 1147, 1150, and 1182, and the region's Muslim emir had earlier been allied to the Crusaders.[6] No Latin bishop ever held title to this See.[7]

RABBAST = the ancient Philadelphia, modern Rabbat Amman. The Roman Notitia always list this eparchy as a suffragan to Bostra/Bosra. No Latin bishop ever held title to this city either, and its relations to Pierre or Petra of the Desert and to its suffragan of Faran, or the monastery of St. Catherine in Sinae, are clarified in the Appendix on Petra.

The Abbeys and Priories. The exact identification of some of these is lacking, but they are all Latin Rite establishments.

The Last three suffragans:

ERMINS = the Archbishop of the Armenian community, who resided in the general area of the present-day Armenian quarter, at the Church of St. James the Apostle. The List of Armenian bishops in the Appendix shows that they were resident in the city throughout the Crusader period.

JACOPINS = the West Syrians, the monophysite Jacobites. The Jacobite bishops of Jerusalem, like the Armenians, had no suffragans beneath them. These bishops (see Appendix Two for a list) resided at the Church of St. Mary Magdalen in the NE or Syrian quarter of Jerusalem.

MAISTRE de ST LAIDRE = the Order of St. Lazarus, for the care of lepers. Their Jerusalem establishment was just outside the walls, along the NW corner. Some versions include this phrase after the mention of the Armenian archbishop: "qui a deus suffragans" or "qui ha suffragans due"[8], which seem to make the Jacobite bishop and the Master of the Lazarist Order suffragans of the Armenian archbishop! An error in the text or the absense of two lesser Armenian dioceses must account for this otherwise unlikely connection.

The Roster has two peculiarities: it includes (a) sites which were never occupied by the Franks, and (b) non-Latin hierarchs as suffragans of the Latins. We'll deal with the first anamoly here, and treat the second in the following Topic.

It has been observed that the crusaders were wont to maintain the theory that their ecclesiastical establishments were entitled to all the properties possessed by their Chalcedonian predecessors in the overseas territories. Tied to the continuity of ownership was the continuity of titles and of administrative structure.

The Frankish Notitia, if we may call them that,[9] show that the Crusaders did create a Latin province quite similar to the Byzantine one: the three metropolitans of antique Palestine were kept by the Crusaders -- Caesarea, Skythopolis, and Petra.[10]

The inclusion of Bostra/Bosra in the list seems to have no other cause than the imitation of the Greek provincial structure, for Bosra was the antique metropolitan of the ecclesiastical province of Arabia, a province variously included with Antioch or Jerusalem. And it was Bosra's metropolitan rank which was, rather confusedly, transferred to the Latin bishop at Kerak/Petra, via "Rabbast".

The zeal of the founders of the First Latin Kingdom to duplicate the Greek ecclesiastical structure, as a symbol of the Latin Church's claims to inherit the Patriarchal jurisdiction, was hampered by the inability of the Franks to erect and staff such an extensive religious machine as the Byzantine Church had once had. So only some elements of the structure were implemented as political expediences allowed, as in the case of the establishment of the archdiocese of Petra. This seems to be the only explanation for the administrative puzzle

transmitted in the text of Chapter 261.

3. Different Sorts of Suffragans

Hans Eberhard Mayer has tried to explain in great detail why it is that the Latin Patriarch of Jerusalem was given metropolitans as suffragans, and even abbots and priors, contrary to Western customs.[11] A particular problem faced by the Latin Patriarch, he states, was that he had less than the three suffragan bishops usually required of a primate, due to the metropolitan claims of the other Latin dioceses (who themselves each lacked that many suffragans in order to be true metropolitans, save Tyre).[12] Lydda was the first suffragan (1099) for Jerusalem, and after the abortive attempts to create Ascalon as a suffragan (1102 and 1154), Jerusalem's suffragans became Bethlehem (1110) and Hebron (1167). We are led to conclude that until 1167 the other hierarchs called suffragans -- the archbishops of Tyre (1124), Nazareth (1110) and Caesarea (1101) -- did suffragan service, as also the various abbots, abbesses, and non-Latin hierarchs named in Chapter 261. However, these Latin Notitia were drawn up long after 1167, and we can be sure that they had something else in mind than solving the Latin Patriarch's suffragan problem, for this was a trivial anxiety, solved by practical ad hoc arrangements.

The significance of suffragans, in both the East and the West, lies in the fact that it is they who elect (or at least consecrate) their Metropolitan, and are in turn conse-

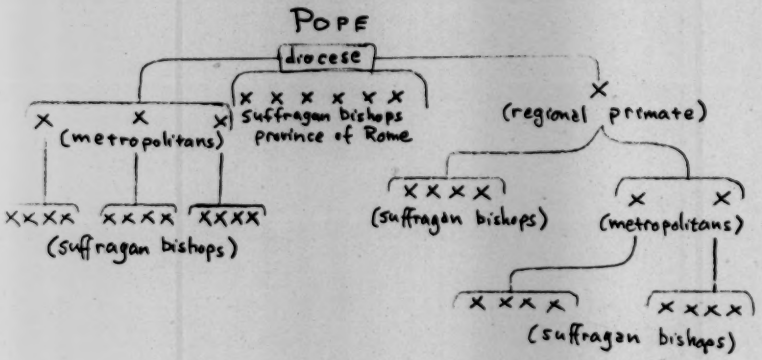
crated by him (and the other bishops of the Metropolitan province). In theory, a Patriarch or Primate duplicates this at a higher level, for he directly consecrates (if he does not also nominate) the metropolitans of his province, but not their suffragan bishops; and in turn the Patriarch/Primate is elected and consecrated by his metropolitans.[13]

In the Western Church, the dominance of the Roman papacy tended to reduce the prerogatives of patriarchs, primates and the like. Like ordinary metropolitans, these lofty hierarchs were expected to have their own particular province composed of suffragan bishops, while Oriental primates continued to have only metropolitans as their quasi-suffragans, ruling no particular province of their own apart from the entire patriarchal province (though he had his own eparchy, of course). (Refer to chart on opposite page).

Following the Oriental custom, which William of Tyre clearly knew, the Melkite Patriarchs (except Alexandria) had designated, from among their many Metropolitans, some few as "syncelloi" who formed a semi-permanent synod and were the normal Patriarchal electors and consecrators.[14] This development was largely due to the difficulty of gathering all the metropolitans for mundane synodical decisions and for consecrations, given the hazards of early medieval travel in the Middle East. The Nestorian and Jacobite Patriarchs had adopted the same practice for similar reasons.

The Crusaders could not afford such an elaborate system. The first episcopal consecrations among the Franks were awkward,

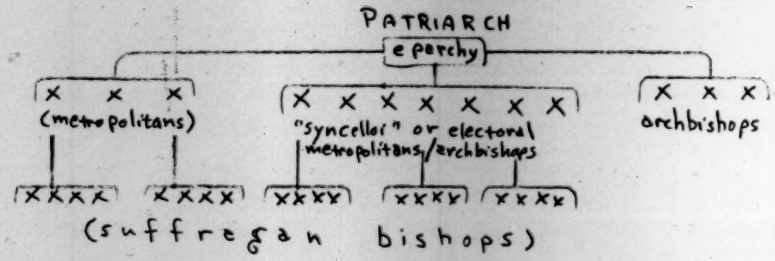
Occidental Model (e.g. Rome)



Pope & primates govern their own particular diocese and province, composed of suffragan bishops, in addition to overseeing other metropolitans in a less direct fashion.

A suffragan bishop may, thus, have as his immediate superior, an archbishop or metropolitan, a regional primate, or the Pope himself.

Oriental Model (e.g. Antioch)



The Patriarch governs no particular metropolitan province or diocese (other than his own eparchy), but rather the entire Patriarchal province directly. Nor does he normally have suffragan bishops directly obedient to him.

Suffragan bishops have as superiors only metropolitans.

Exceptions are always possible, whereby metropolitan and archepiscopal rank is given as an honor, its titular having no suffragans at all. This places such an honorary metropolitan/archbishop directly beneath a primate, patriarch, or pontiff, rather than beneath a metropolitan as he should be, because he is charged only with a single diocese/eparchy, and it may be an honorary/titular diocese at that.

The electoral college for the pope and for primates remains his immediate suffragan bishops (if not the cathedral chapter), not the metropolitans over whom he has less direct supervision. By extension, "cardinals" become honorary bishops in the papal province of Rome, and thus electors as well.

The electoral college for the Patriarch is not his suffragan bishops (he has none), but his metropolitans. However, traditionally, a select group of metropolitans, "syncelloi", become the usual electors, and these may include some honorary archbishops (those with no suffragans).

for three bishops were needed, but the death of bishop Adhemar of Le Puy left the Crusader host with only two bishops. They had to await the arrival of Archbishop Daimbert of Pisa or use the Greek Patriarch of Antioch to muster up the required consecrators for the new bishops they were nominating.[15] Thereafter, the two provinces of Antioch and Jerusalem became self-sufficient, but until 1167 the Patriarch of Jerusalem naturally used the metropolitans of Caesarea and Nazareth to consecrate other bishops. None of his metropolitans, save Tyre, had three suffragans either, so they all needed to use each other to fulfill this sacramental requirement, often supported by a papal legate (usually a bishop) who succeeded each other in Syria and Palestine in an almost uniterrupted succession.[16]

In the reverse however, there were few Patriarchal consecrations for the Jerusalem provincial metropolitans to participate in, as many of the Patriarchs were already bishops upon election.[17] The metropolitans were not needed for elections either, as the Patriarchs were elected by the Cathedral chapter of canons, not by the bishops.

"Suffragan" can be rather ambiguous, signifying a number of roles:

(1) the ordinary co-consecrands of the Patriarch and of other bishops in the province, and thus those in turn consecrated by the Patriarch. We can eliminate abbots and priors as suffragans in the same sense as bishops, as they are not (ordinarily) bishops themselves.

(2) an attempt to mimic the Byzantine custom of designating syncelloi or electors of the Patriarch as members of a semi-permanent synod, if all the bishops of the province are not included ex officio.

(3) a way of referring to the tie of obedience between a bishop and all lower offices within his jurisdiction. Thus the prior of St. John the Evangelist monastery was a suffragan of the bishop of Lydda in the sense that the bishop was his local ordinary with full authority over local churches and religious institutes. In turn, the bishop of Lydda was a suffragan to the Patriarch of Jerusalem in the above sense and in the additional mode as a sacramental dependent of the patriarch. Finally, the bishops of Lydda and Bethlehem were feudal dependents of the patriarch, responsible for helping to fill his quota of knights and sergeants for the king.[18]

What are we to make of the inclusion of the Armenian and Jacobite bishops as suffragans of the Latin Patriarch of Jerusalem? Referring to our three types of suffragans, let's see which applies to them.

(1) If the Jacobite and Armenian bishops were sacramental suffragans, able to consecrate other bishops with the Latin Patriarch, we would presume that these Oriental hierarchs were included in the universal Roman Church and had accordingly clarified their status with Rome. But we have seen that there is no evidence for any formal agreements between Rome and the native Oriental churches

and so suffragan in this sacramental sense cannot be attributed to the Jacobites and Armenians. The word must be used in a different meaning. The Assises are, of course, a civil document and not an ecclesiastical one, so that the canonical terminology we find here is masking civil attitudes and arrangements.[19]

(2) The inclusion of the Armenian and Jacobite bishops has nothing to do with the earlier Byzantine hierarchial structure, for such non-Chalcedonians were not allowed to reside in Byzantine Antioch, and only functioned in Jerusalem for three factors: (a) the monastic character of most of these bishops, with small flocks of faithful around them; (b) the Greek Patriarch's inability to exercise more than a modest control over the Christian population of the Holy City; and (c) the traditional laissez-faire attitude prevelent there, where so many sects lived and worshipped at the same shrines, and had done so for many generations.

(3) The third type of suffragan status applies to the monophysites if interpreted politically. Although they had their own Primates to command them and their own communities to care for and thus were not under the obedience of the Greek or Latin churches ecclesiastically or canonically, yet good order in the Frankish mind would require some sort of subordination of all community leaders to their proper sovereign. So the use of suffragan would indicate Armenian and Jacobite subordination to the Latin Patriarch

as a way of describing their general subordination to Frankish rule.[20]

This is a somewhat subtle distinction however, one not likely to be made in the context of the practical Assises texts. There is a fourth type of suffragan status, which takes some elements from these three: it is that of a national suffragan linked directly to the dominant primate and not to the other suffragans. This fits the description found at the end of the paragraph excerpted from Chapter 261, which depicts the Jacobite and Armenian eparchs tied to the Latin Patriarch by special affiliation. Historically this resembles the ancient office of chorepiskopos, but here given a national twist.

4. National Bishops as Chorepiskipoi

Greek historians attribute the suffragan or dependent condition of the Jacobite and Armenian bishops vis-à-vis the Latin Patriarch to their unions with Rome.[21] Nothing could be more pleasing to a canonist's sense of order. And canon law actually did provide a formula for regulatizing overlapping jurisdictions, that of chorē-episkipos, country bishops with personal jurisdiction.[22] It does not seem that this solution was ever explicitly adopted in Latin Syria and Palestine, but it justified the later use of national or racial vicars, as we will now explain.

The Greek Church was not unfamiliar with the phenomenon of multi-national areas with overlapping jurisdictions. In the century preceeding the Crusades, a sizeable community of

Armenian Uniates had come to exist within the Greek Patriarchates of Constantinople and Antioch as a result of the intense pressure exerted by Byzantium to integrate the Armenian nation into the eastward-expanding Roman Empire.[23]

Analagous to the placement of Armenians into civil and military offices, Uniate Armenian monks joined Greek monasteries, and Uniate Armenian monasteries functioned alongside Greek ones, and presumably there was some blending of parish congregations as well. When Uniate Armenian bishops were made suffragans of the Greek Patriarchs, or of nearby Greek metropolitans, the Armenian suffragans were designated by the rank of chorepiskipos, country bishops, the practical equivalent of a personal jurisdiction on one rite, functioning within the larger jurisdiction of another rite.[24]

This approach obviated the unacceptable occurance of two bishops bearing the same title. There were, in addition, some cities or towns where Uniate Armenians were a majority and possessed the only bishop, but we don't know what the Greeks living in his jurisdiction would have done, though probably they remained under the direct supervision of the nearest Greek bishop.

Byzantium followed the same course of action with Jacobite bishops and their congregations when they submitted to a Chalcedonian union; they were allowed to keep their episcopal rank, but functioned as chorepiskipoi under the supervision of reliable Greek bishops.[25]

This kind of compromise was familiar to Latins, for at this same period, the 11th century, the Popes were attempting to integrate the former Byzantine areas of souther Italy into an expanding Roman province. The Roman re-entry into southern Italy was a politically turbulent one over which the Papacy had often little control, depending on who her patrons were. The first Norman duchy was established at Apulia in 1043, Bari was taken from Byzantium in 1071, Palermo from the Arabs in 1072, but the regularization of the ecclesiastical structure was achieved only in the late 1090s, and not without resistance. When the Normans attempted to replace the (presumably dead) Greek bishop of Rossano with a Latin-rite cleric in 1094, the city successfully resisted and Rome agreed to allow the Greek line to continue.[26] But on the whole, the Normans subjected all their lands to Roman jurisdiction,[27] and placed Latin-rite bishops of their own choosing into dioceses where this could be done, especially where a plurality of non-Greeks lived. There were many refinements to this process. First, although metropolitan sees were almost always reserved for Norman candidates, a number of suffragans remained Greek for a few generations. Or some former Greek metropolitanates were reduced to simple episcopal status as an alternative to changing their incumbants.[28]

Second, in almost every case, a change was effected only if and when the former Greek titular died, or was absent in Byzantine territory at the time of the take-over.[29]

Of course, if a Greek bishop refused to make his submission to Rome, he was replaced, usually on the grounds that his consecration had been illicit in the first place; a pattern much used on 13th century Cyprus. These precautions indicate a respect for the office of bishop, all other conditions being met. This approach was also matched by Norman policies in Sicily and England, and somewhat in Antioch, where existing institutions were retained, the new regime merely imposing a new layer of officials over the old.[30] If this proved sufficient to maintain order, there was usually no further tampering with the institutions of the native population. It was loyalty to the regime which was appreciated, and loyalty was not restricted by nationality.[31]

The replacement by Roman-rite hierarchs of Greek-rite titulars was much more comprehensive, of course, in the Norman states which passed beyond the colonial phase, and which were heavily re-settled by Westerners, as in parts of England and southern Italy.

A review of the arrangements made from the height of Norman rule in Italy (1160) to the full implementation of Roman supervision (by Pope Innocent IV after 1246) reveals the following policies:

1) All the churches of south Italy were directly subject to the Holy See, with no intermediaries; Sicily was a special case, as the Pope could not intervene there directly until the time of Charles d'Anjou. There were many new metropolitans, but these were already creatures of the papacy, with none of

the autonomy once attached to that rank.

2) Differences in liturgical rite and language and in canon law and discipline did not come to an end. While there were few non-Latin metropolitans, there were a dozen or more Greek bishops, most subject to a Latin metropolitan, and an equal number of Greek convents and monasteries. Even in sees which were headed by a Latin, the Byzantine liturgy was regularly celebrated for many centuries, not by the Latin bishop, but by his Greek clergy.[32]

3) Mixed dioceses and ecclesial provinces remained a feature of southern Italy into the 15th century.[33] For example, Latin bishops often consecrated Byzantine-rite suffragans, perhaps according to the Byzantine rite when Greek bishops were co-consecrators, for Innocent III has to insist that such consecrations be done only according to the Latin rite of the chief consecrator. On Cyprus, the Latin metropolitan merely convoked the Greek bishops and these in turn performed the actual consecrations.[34] Four Greek bishops were allowed to function, not only so as not to outnumber the four Latin bishops on the island, but also to allow the Greek bishops to elect and consecrate their own primates, for which three bishops were needed, and thus have no excuse to seek consecration in Byzantine territory. There are rare instances of a Greek bishop ordaining Latin priests.

4) A non-juror Greek hierarchy did continue to function underground, in southern Italy.[35]

Just how did the Roman Church come to terms with such complex arrangements? In addition to some compromises in canonical rites and discipline, the papacy allowed a compromise which bears directly on our theme: the creation of a vicar by a Latin bishop to minister to his non-Latin faithful:[36]

> Inasmuch as, in many areas, there are many people living side by side in the same city or the same dioceses, who have different languages and, though of one faith, use various rites and customs; we instruct that the bishops of such cities or dioceses provide suitable men to perform the divine offices for them according to the diverse rites and tongues, and to administer the sacraments of the church, instructing them both by word and deed. We absolutely forbid that there be more than one bishop in a single city or diocese, for such a many-headed body is a monstrosity. But if he shall deem the above-mentioned circumstances to create such a need, the bishop of the place may establish a catholic leader [praesul] for those communities [nationibus], taking all due precaution, for this person is to be his vicar in these matters, and so must be obedient and subject to him in all things.

Presumably this vicar had a personal jurisdiction over all persons of his rite within the diocese of his Latin superior. Later commentators equate this vicar with a cleric of episcopal rank, resembling a coadjutor bishop. This experiment with overlapping jurisdictions was designed for southern Italy and the Latin Empire of Constantinople and was not tried elsewhere, to our knowledge. The compromise may have been designed also to counteract the activities of the underground non-juror Greek clergy and bishops.

We've noted that the Greeks were familiar with "national vicars" in dealing with Armenian and Jacobite monophysites. But there were hardly any occasions when Greeks governed Latins, except during the years that Patriarch Athanasius II [III] resided in Antioch (1165-1171).[37] The Latin Patriarch Aimery,

the same one later responsible for the Maronite Union with Rome, resisted the Melkite intruder,[38] but was forced to live in a Jacobite monastery away from Antioch.[39] Runciman states that during Athanasius' reign, any vacant sees were given to Greek bishops, but this is not significant.[40] As far as we can tell, the stalemate was never resolved and the Greek and Latin hierarchies and clergy ignored each other as much as possible.[41]

Using these Latin and Greek practices as analogies, we suggest that the status of national vicars, communal chorepiskipoi, best describes what the Assises intends by applying the term suffragan to the Armenian and Jacobite bishops of Jerusalem.

We are now ready to see how the Crusaders used this tradition of chorepiskipoi to govern the Melkites in their domains.

5. The Frankish Solution: Oriental Pluralism

To appreciate the Frankish solution, we have to see through the false issues raised by the Assises text we have been using.

Given the ambiguity of terminology in these Assises chapters, it is best to look upon them as political documents, giving an overview of the organization of the religious hierarchs in the First Latin Kingdom. No specific ecclesiological ranking can safely be inferred from the inclusion of some non-Latin bishops and the exclusion of others; no useful notions

can be gathered about the significance of the Patriarch's suffragans; nor is there any proof here of a plan by the Kingdom's founders to duplicate at any cost the prior Byzantine ecclesial structure.

If the Assises describe arrangements current in the 13th century, whereby non-Latin bishops were ranked as suffragans of the Latin Patriarch, we thereby suggest that this was not true of circumstances in Palestine prior to the Muslim reconquest of 1187.

We must shift all this talk about suffragans and church unions to post-1187 decades, unless we can find some evidence for regularized relations between the Western and Oriental Churches during the 12th century which were applied to the Holy Land. The suffragan status accorded the Jacobite and Armenian bishops could reflect conditions after 1198, when the Armenian Church in particular had entered into formal agreement with the Roman Church, as did the Jacobites after 1246. So it may be these arrangements which led the redactor of this section of the Frankish Legal Code to describe them as he did.[42] The Greek Melkites would have been excluded because their Patriarch was again resident in Jerusalem by 1220, allowing the Greek bishops living, say, in Frankish Acre, to ignore the Latin hierarchy and depend, once again, on his natural ordinary. (See Chapter Twelve, Topic 4.) If this is the case, then this portion of Chapter 261 does not derive from conditions of the First Latin Kingdom, but of the Second.[43]

Rome's view was naturally quite different: the precedent for submitting the four Greek bishops on Cyprus to the Latin Archbishop of Nicosia as his suffragans was that such had been the practice towards the Greek bishops of the Latin Kingdom of Jerusalem in the previous decades.[44]

Chapter 261 was not addressed to this debate. It has been useful for bringing our attention to the issue, but we must look elsewhere for the solution.

The Greek hierarchy was largely absent from Palestine when the Franks arrived; this circumstance, so fortuitous for the Latin Church, was but an extension of the same fateful happenstances which propped the Crusaders on the Levantine stage just when the Seljuq-dominated Middle East was politically fragmented. Most of the remaining Melkite hierarchy simply didn't fall under Frankish jurisdiction at first, as at Gaza. Armenian and Jacobite bishops did find themselves subjects of these new masters from the West, but their "suffragan" status also had little to do with the three kinds of ecclesiastical suffragans which we've described. Rather their final suffragan status was analagous to a civil allegience, a feudal tie if you will, though a purely Oriental type of feudalism, one the Crusaders found, not one they imported from the West; but one which they certainly found congenial. It was the principle of religio-national communal pluralism, and the native Christian bishops were its representatives.[45]

We have settled on the status of <u>chorepiskopos</u> to describe their status vis-à-vis the Latin hierarchy, because

that rank has existed on the basis of a variety of categories: A chorepiskopos was in charge of rural folk, non-urbanites, or of non-civilized barbarians, ethnici, tribes and nomads, and ultimately, of foreign peoples. This last best encompasses the category in the Frankish mind into which were placed the native Christian communities.

Just as the Latin Kings of Jerusalem, or the Latin Counts of Edessa, ruled sub-communities of non-Latins, by right of force, so the Latin Patriarchs of Jerusalem, or the Latin Metropolitans of Edessa, shared in this civil hegemony.[45] The rulers of the churchly sub-communities were suffragans in that their continued presence depended on the good-will of the Latins, no more. As the Bar Sabouni case in Edessa, or the Jacobite property case in Jerusalem indicate, the Latin civil and ecclesiastical leaders were the natural arbiters in disputes with or among the non-Latins, for they alone had the power to enforce decisions.

These precedents allow us to suggest that the few Greek bishops who found themselves functioning in Crusader-ruled areas were treated as suffragans of the Latin Church in the same way as the Jacobite and Armenian bishops, recognizing the overall suzerainty hegemony of the Latin Church, because the Latin Church ruled by the power of the Latin Kings.[47] The only real difference was that the Greek bishops lacked a resident Patriarch, and it is the significance given to that circumstance that has shaped historical interpretations about Greek status in Latin lands.

The dominance of the Frankish civil arm does not completely explain the Melkites' relationship to the Latin administration. The local Latin Church confronted the Melkites in many areas, but did not press for any more profound links between herself and the native Christians.

If Roman legates were able to pry semblances of submissions from Oriental bishops and Patriarchs, well and good. But I suspect that the Latin Patriarchs of Jerusalem for the most part were prone to discourage tangible doctrinal and jurisdictional submissions by their Oriental confrères in the episcopacy, for this would have embroiled the Latin Church in the problematic task of canonically defining the status of the non-Latin bishops within the Frankish structure. Some major reasons for Latin hesitancy are explained in Chapter Fourteen, Topic 2. Here we shall note three tactical complications: (1) The various Oriental bishops, including the Melkites, were leaders of distinct national communities. Full submission to Rome would create a union in faith, but would not this require the Latins to admit the Oriental Christians fully into the life, rule and worship of the dominant Frankish caste? While dogma and discipline may have been a common norm for sorting out Oriental from Frankish Christians,[48] this distinction usually coincided with the more significant one, of rulers and the ruled. As the Church of the rulers, the local Latin Church would have been disinclined to grant such equality to a portion of the people she ruled. In the next chapters, we will sort out this colonial view of Crusader society.

(2) Another problem was to regularize two or more hierarchies residing in the same city and bearing the same title. Jerusalem, of course, and perhaps Caesarea, Tiberias, Sebastea, etc. were Latin sees which had non-Latin bishops in residence as well. Formal submission to Rome would necessitate dealing with these Oriental hierarchs, either negotiating them out of their titles in favor of Latin titulars, resorting to unpleasant coersion (as in Cyprus, where the Greek bishops were relocated to villages near their former sees), or waiting for chance, the opportune death or retirement of the Oriental bishop, who would not be replaced in his own rite, but by a Latin. In any event, these were all awkward approaches, easily handled by not pressing for submission in an ecclesiological sense at all, but being content with all the tangible aspects of submission provided by political submission.[49]

(3) Property was another realm of dispute which would aggravate any amicable religious arrangements, and was best left to administrative compromises (see Chapter Seven, Topic 3).

If this de facto form of submission was satisfactory to the Crusader leaders, lay and religious, we can appreciate the relief shown by the Oriental Christians when they learned of this relatively painless way of dealing with their new masters. (See Chapter Eleven, p. 313 and n. 13). To set the de jure demands of ecclesiology aside was not to avoid all forms of discrimination however, for de facto political submission was not value-free but entailed some fiscal burdens such as the tithe, which we have treated in Chapter Nine.

In short, the Roman interventions into the oriental churches, as at Jerusalem in 1140/41 and later in 1237, had no practical significance for the continued autonomous functioning of the native hierarchies vis-à-vis the Latin regime, and this holds for the Melkites too. The arrangements made at Tarsus in 1198 did entail ecclesiological consequences, but this was after the fall of the First Latin Kingdom and didn't affect Palestine.

* * * * *

The Melkite bishops in 12th century Crusader Palestine were able to operate not on the basis of a Union with the dominant Latin Church, and not because they were suffragans of the traditional sort of the Latin Patriarch. Rather their degree of autonomy from and integration into the Frankish administration was based on the fact that they were heads of a distinct community or race of people, whose identity rested not just on their own religious traditions but upon a distinctive language, laws and customs. The leaders of the Melkites had more than priestly duties and titles, for they were judges, property owners, tax collectors, and community chiefs.

In the chapter of the Assises concerned with ecclesiastical subordination, the Franks were content to account such community heads (Jacobites and Armenians at least) as suffragan archbishops of the Latin Patriarch. The Melkites failed to appear in chapter 261 because of their lack of a community primate and their consequent partial-inclusion into the Latin ecclesiastical structure.

The national identity of the Melkites was not accorded them by the Latin Church however, but by another national body, the Frankish state. The following chapter describes how the views and prejudices of laymen towards the Melkites overcame those of the clergy.

1. See ahead for our discussion of this canon ix of Lateran IV, page 383 at note 36. Also Jean Richard "La papauté et les missions catholiques en Orient au moyen âge" (1941/46) esp. pp. 254-258; and the letter of P. Gregory IX regarding the transferral of the Latin bishop of Paphos (Cyprus), in Tautu Acta Greg. IX (Rome, 1950), written in 1239; No. 257 (p. 334-5). Also Hill Hist. Cyprus, vol. III, chapter 16.

2. Differences in rite were always respected, in theory, by the Western and Eastern Churches; contrary instances from southern Italy, Moravia, Bulgaria, and Cyprus concern political exceptions which otherwise prove this rule. Jean Richard doesn't clarify the historical circumstances surrounding two of his statements in this field:

> Le respect des rites était admis par Guillaume de Tyr dès le xii siècle, sauf en ce qui concerne l'église grecque
>
> (p. 257, n. 1), and
>
> [After AD 1215] il était constitue dans chaque diocèse [in southern Italy, Latin Romania, etc.] un évêque latin qui devait savoir le grec; plusieurs nominations épiscopales furent annulées en raison de l'ignorance de cette langue par le nouveau titulaire
>
> (p. 255), both from "La papauté et les missions catholiques"

Admittedly, the Papacy mistrusted ritual diversity, as a breeding ground of heresy and scandal, and so tried to minimize it; Wilhelm deVries "Innocenz III un der christliche Osten" (1965) 111-3, and in his Rom und die Patriarchate des Ostens (1963) 184-191.

3. Despite the tenor of the Act of P. Gregory IX, above, for transferring the Latin bishop of Pahpos because he didn't know the language of his flock, Greek, we find P. Innocent IV in 1253 asking the Metropolitan of Crete to give the next vacancy on Crete to his papal scribe, Henry, former member of the VEnetian Chancelry, for the Greeks had vacated many of their eparchies on the island. Did Henry know Greek? Halušcynskyj Acta Inn. IV (Rome, 1962) No. 84. We are also not enlightened about the circumstances surrounding the transferral of the Latin bishop of Paphos, on Cyprus, who in 1239 was transferred to the diocese of Nazareth, in Palestine, because the Greeks of his Cypriote diocese utterly resisted his authority, J. Riley-Smith "Latin Titular Bishops in Palestine and Syria, 1137-1291" (Cath. Hist. Rev. 64:1, 1978) p. 11. Would his new flock in Palestine be more congenial? Although Nazareth was occasionally in Latin hands during the 1240s, the Latin prelates probably resided in Acre.

4. le comte Beugnot Les Assises de Jérusalem; I: Assises de la Haute Cour (Paris, 1846) = RHC:Lois, I, pp. L[50] 429. Maurice Grandclaude Étude critique sur les Assises de Jérusalem (Paris, 1923) 147; Joshua Prawer "Étude preliminaire sur les sources et la composition du Livre des Assises des

Bourgeois" (Rev. hist. de droit franc, & étranger 32, 1954) esp. pp. 218-227, 358-363. John LaMonte "Three Questions concerning the Assises de Jerusalem" (Byzantina Metabyzantina I:1, 1946 [NY]) esp. pp. 204-208. René Filhol "Gouvernants & gouvernés dans les principautés francques d'Orient" (1966) 101-125.

5. Assises de la Haute Cour, pp. 415-416. Our commentary is based on alternate readings in Beugnot, esp. his use of Paris MS fd. 12206 and Thaumassière (Paris 1686 = Cyprus redaction of AD 1369), and the version of this roster appearing in Terzi di Lauria Siria Sacra (Rome, 1695) pp. 240-241, based on an unspecified Paris MS.

6. H. Gelzer "Bistümerverzeichnisse" (1892), 248, 252. Bosra's Muslim governors at the beginning of the 12th century were often allied with Latin Jerusalem, as in al-Qalanisi Histoire Damas (tr) Tourneau, 56, 62 [= AD 1105-06] and pp. 322-331 [= AD 1150-53].

7. In Rey/duCange Les Families d'Outre-Mer (Paris, 1869), there is mention of a Latin Archbishop of Bostra, in a letter of P. Innocent III, for AD 1205 (pp. 767-768). The sources are two 17th century collections used by duCange, which were not available to us. No modern collection of Innocent's letters contains any such references, and we suspect this Bostra to be based on a mis-reading, referring to some other toponym.

8. Thaumassière, in note to p. 416 of Beugnot, and in di Lauria, pp. 240-421.

9. Chapters 261-268 of the Assises de la Haute Cour; a similar Roster in di Lauria Siria Sacra, 240-241; and the "Notitia Antiochiae ac Ierosolymae" in Tobler & Molinier Itinera Hierosolymitana et Descriptiones Terrae Sanctae, vol. I:c (Geneva, 1880) pp. 339-343. For more lists of this sort, see the Petra Appendix, note 16.

10. The imitation of continuity is not that these Latin metropolitans were set up, but that when they were finally entitled (the last, Petra, only in 1167), they were given the rank of archbishop though they had few if any suffragans. As the Appendix on Petra explains, Nazareth did not actually inherit the metropolitan title of Skythopolis to Palestine II, but Petra's title to Palestine III, so that the continuity between Greek and Latin systems was imperfect. Le Quien OC, III, 681, and di Lauria 272. Nazareth was erected first as a simple diocese (1110) and bishop William was raised to archepiscopal status only around 1130, Delaborde Chartes de Terre Sainte (Paris 1880) Nos. 43 and 56; also Fedalto, II, 165.

11. Mayer Bistümer 112-115; Mayer "Latins, Muslims and Greeks" (1978) 191-2.

12. The need for three refers to the practice of having at least three bishops as episcopal consecrators, who should all be from the same province for which the new bishop is destined.

Canonical references are in Jean Gaudemet L'Église dans l'Empire romain (1958) 338-9, and in Cyrille Vogel "Unité de l'église et pluralité des formes historiques d'organisation ecclésiastique" in (eds) Congar & Dupuy L'Episcopat et l'Église Universelle (Paris, 1962) p. 605. But also note Balsamon and Zonaras on the 1st Apostolic Canon, MPG, t. 137: col. 36-37.

13. In practice, election and consecration are quite separable; in the Latin Patriarchates of Jerusalem and Constantinople, the canons of the Cathedral insisted on their rights to elect the Patriarch, though canons obviously couldn't do the consecration. Also, the Pope or the king often designated the new Metropolitan or Patriarch, leaving to the suffragan metropolitans only the task of consecration (if the candidate was not already a bishop). Even this right was uncertain; the Melkite Patriarch John III of Antioch (996-1012) ceded to the Byzantine Emperor and to the Patriarch of Constantinople his right to be elected and consecrated by the metropolitans of Antioch; V. Grumel "Le patriarcat et les patriarches d'Antioche" (EO 33, 1934) 136. For the canons involved in election and consecration of bishops, see Balsamon, Zonaras, and Aristenos Commentaria in Canoni, on canon 6 of Nicaea, in MPG, t. 137: col. 256.

14. Cyrille Karalevsky Hist. Patr. Melk. III, 231-232; J. Nasrallah "Le manuscrit No. 180 de la Bibl. Orientale de Beyrouth" (POC 13, 1963) 221-233.

15. In the Crusading armies, there were left only the bishops of Apt and of Orange; Jean Richard "Note sur l'archdiocèse d'Apamée" (1946/48), p. 105. Bishop William of Orange died later in 1098, leaving only the Bishop of Apt, and the newly-consecrated Peter of Narbonne, of al-Sara; William of Tyre, VII ix, and IX i. Later, in 1100, Patriarch Daimbert made up the required consecrators when "ordinatur ibi [Jerusalem] quatuor episcopi", namely, Roger of Tarsus, Bartholomew of Mamistra, Bernard of Artasia, and Benedict of Edessa: Radulf Cadomensi Gesta Tancredi, in RHC:Occid. III, cap. 140 (= p. 704).

16. The first Latin bishop of Caesarea was consecrated in 1101 by Patriarch Daimbert, the legate Cardinal Maurice, and one other bishop; Hotzelt Kirchengeschichte (1940) p. 62.

17. These Patriarchs of Jerusalem were not bishops upon election -- Arnulf (1099; not consecrated until his second term, in 1112); Evermar (1102); Gormund (1119); Stephen

(1128); William (1130); and Amalric (1158).
These were already bishops: -- Daimbert of Pisa, Gibelin of Arles, Fulcher of Tyre, and Heraclius of Caesarea. MasLatrie "Les Patriarches latins de Jérusalem" (ROL 2, 1894) 16-18.

18. See Chapter Seven, note 23.

19. "Au fond, l'opposition que firent toujours les princes francs d'Antioche aux patriarches melkites était presque uniquement politique, et il n'y eut que les papes à se préoccuper du point de vue religieux", C. Karalevsky "Antioche" (art) in DHGE, III, col. 622.

20. As C. Karalevsky continues: even the popes, "quand il y eut un patriarche catholique de rite orientale, ils ne comprirent jamais sa situation que comme celle d'un subordonné au patriarche latin, mals comme un seigneur à son suzerain, sans prejudice du principe d'unité de juridiction", ut supra, col. 622

21. K. Meliaras [The Holy Places] vol. I (1928) pp. 394-5. The dependent status is called boèthéía in Greek.

22. On chorepiskipoi, see Henri Musset Hist. du Christianisme (1948) vol. I, p. 118. Details of their operation in Palestine and Arabia is in Néophyte Edelby "La Transjordanie chrétienne des origines aux croisades" (POC 6, 1956) 97-117. Also, Robert Amadou "Chorévêques et périodentes" (L'Orient Syrien 4, 1959) 233-240, and Gillman Das Institut der Chorbichöfe im Orient (Munich, J. J. Lentner, 1903).

23. Papadopoulos (Theologia, 1938) pp. 100-102; F. Chalandon, Les Comnène, 653-4; Ch. Frazee "Cilician Armenia" (Church History, 1976) 166-184.
While the Byzantine Chalcedonians viewed these Uniate Armenians as orthodox, their Armenian brethren called them τζατοι or traitors; see Paul Peeters "Un témoignage autographe sur le siège d'Antioche par les Croisés en 1098" (1946 article, reprinted in ....) Recherches d'histoire et de philologie orientale (Brussels, 1951) pp. 179-80 in particular. Often these Tzatoi are grouped by the Greeks with their Caucasian neighbors, the Iberians/Georgians, who were largely Chalcedonian: see W.Z. Djobadze Materials for the Study of Georgian monasteries (Louvain, 1967), esp. pp. 51-54, 70, 81-86.
On the endowment by Byzantium of Armenians with Byzantine offices and titles, see Ed. Dulaurier Étude sur Roy. de la Petite Arménie (1862) 61-79, 90-99.

24. As Claude Cahen suspected, "Il est possible que la position des églises indigènes à l'égard de l'église franque soit la continuation de celle qu'elles avaient à l'égard de l'église grecque..." La Syrie du Nord (Paris 1940) p. 333, note 9.

That the Uniate Armenians retained their own hierarchy in this fashion is clear from the entry under S. Nicon (+ AD 712 in south Italy), 25 October, in Acta SS Bolland. Octob. t. XI, p. 706.
See also C. Papadopoulos (Theologia, 1938) p. 102.

25. V. Grumel Les Regestes, fasc. ii (Istanbul 1936) No. 839.

26. The Greek bishop of Rossano assumed the title of Archbishop, to bolster his prestige vis-à-vis Rome, and the papacy finally acquiesced in the face of such resistance. Obviously, the Greek bishop of Rossano, Romanos, had submitted to papal jurisdiction, probably at the 1089 synod at Melfi; Jules Gay "Les diocèses de Calabre à l'époque byzantine" (Rev. d'hist. & de litt. relig. 5, 1900) p. 258; Walter Holtzmann Papsttum, Normannen, und griechische Kirche (Munich, 1961) p. 73; F. Chalandon Histoire de la domination normande en Italie et en Sicile (Paris, 1907) pp. 594-95.

27. From the oath sworn by Robert Guiscard to the pope, see Chapter 12, page 339 at Note 5.

28. Siponto, in Byzantine territory, had been made autonomous by Constantinople and was approved in this status by Pope Benedict IX, around 1018. But when it fell under Norman control, Pope Leo IX re-attached it to the Metropolitan of Benevento as a suffragan; Gay Les papes du xi siècle et la chrétienté (Paris, 1926) p. 151; Vera von Falkenhausen Untersuchungen über die byzantinische Herrschaft in Suditalien (Wiesbaden, 1967) p. 56.
Cosenza has also been made an autonomous metropolitan (without suffragans) by the Greeks, but this was made a suffragan to Salerno when the Lombards re-took the town; Duchesne "Les évêques de Calabre" in Mélanges Paul Fabre (Paris, Picard 1902) pp. 12-13.

29. Those sees which were Latinized shortly after falling to the Normans were -- Squillace (1096), Tropea (1094), Cosenza and Bisagnano (by 1059) and Otranto (by 1088); Stilo, Bova, and Oppida were simply suppressed, but later re-activated as Latin dioceses by the Normans; Kirsopp Lake "The Greek Monasteries in South Italy" (Jour. Theol. Stud. 5, 1904) esp. 22-41 ; and Jules Gay (1900) op. cit. p. 256-7; Dieter Girgensohn "Dall' Episcopato greco all' Episcopato Latino" in La Chiesa Greca (1973) p. 37. Daniel Stiernon provides a good summary:

> En conclusion, la latinisation du siège de Reggio de Calabre ne constitue pas une exception à la regle general, qui veut, que les princes normands se soient montrés beinvellants envers les hiérarques byzantins qu'ils trouverent établis; ils attendirent la mort de ceux-ci pour les remplacer par les hommes de leur choix.. .

"Basile du Reggio, le dernier metropolite grec de Calabre" (Riv. Storia della Chiesa in Italia 18, 1964) 196-197

Similar tactics were employed by the Latins on Cyprus in the 1220s; Joseph Gill "The Tribulations of the Greek Church in Cyprus 1196-1280" (Byz. Forsch. 5, 1977) 78, 88.

30. K. Lake, 24-5; Chalandon Domination normande, 594-5; David C. Douglas The Norman Archievement 1050-1100 (Berkeley, 1969) 183-5, 121; and his The Norman Fate 1100-1154 (Berkeley, 1976) 36-7.

31. vonFalkenhausen, 152-3; V. Laurent, p. 13. All the Greek bishops were invited to the reform council of Melfi in 1089, where Anselm of Canterbury attended as a peritus to debate with the Greeks. Romanos of Rossano and the Metr. of Sta. Severina submitted to Rome, but Basil of Reggio refused, and was replaced by a Latin. Hefele-Leclercq Histoire des Conciles vol. V:1 9L912) p. 459; von Falkenhausen 150; Douglas (1969) 165-6; Bernard Leib Rome, Kiev, & Byzance (Paris, 1924) p. 289-295; Stiernon, 189-226; Francesco Russo "L'Ultimo metropolita greco di Reggio" (Boll. della Badia greca di Grottaferrata 7, 1953) 163-178.

32. Girgensohn, p. 24.

33. A situation acknowledged by Pope Alexander III in a letter to King Roger in 1166: "...consecrationisque episcoporum sibi suffraganeorum tam Graecarum quam Latinorum eidemque omnia iura suae ecclesiae ab imperatoribus et regibus concessum affirmavit." Acta Roman. Pontif. vol. I, (Vatican 1943) (ed) A. Tăutu, No. 389, pp. 802-803.

34. On the stricter policies of Pope Innocent III, see Herde, 242-244. By the bull of P. Alexander III of 1165, the new Latin Archbishop of Reggio had the rights of his greek predecessors to consecrate his own suffragans, be they Latin or Greek, see J. Gay (1900) p. 259. For similar arrangements on Cyprus in the next century, see J. Gill (1977) pp. 86-89, and also the Letter of P. Celestine III to the Archbishop of Otranto of ca. 1191/98 about a Greek bishop ordaining Latin priests, especially outside the customary 4 periods when ordinations were held in the Latin rite:

> Nolumus autem de cetero commixtiones et conseutudines ritum in ordinibus observari, nec sumi ad alliis in exemplum, si cum isto duxeris misericorditer dispensandum.

A. Tautu, op. cit. No. 400 (p. 817).

35. Herde, 226; Holtzmann, 73.

36. Canon ix of Lateran IV, in Hefele-Leclercq, vol. V:2 (1913) pp. 1339-1340. Also No. 200 in (ed) A. Tăutu Excerpta ex Actis Synodorum Occumenicarum (Vatican 1944)

37. When Cilicia returned to Byzantine hands, under Emperor John, and later again under his son Manuel, Latin bishops and priests were evicted, as they were also by the Armenians during the brief period of Armenian-Byzantine concord; Grousset, Histoire, II, 97, n. 2.

After the Latin conquest of Constantinople, the regime at Nicaea suggested as one compromise that a Greek Patriarch be permitted to return to the former Byzantine capital, and function alongside the Latin Patriarch! Acta Innocentii III (ed) Haluščynskyi (Vatican, 1944) No. 22 of Appendix I, (=pp. 592-597).

38. When Emperor John Comnenos had first threatened to place a Greek Patriarch back in Antioch in 1138, Pope Innocent II forbade any Latins to fight with Byzantine forces if this occured. On this and later papal reactions to Byzantine plans for Antioch, see Runciman, History, vol. II, p. 218, and Eastern Schisms, pp. 95-6.

39. The monastery was Qusair or Qal'at al-Zau, just 12 km south of Antioch, as stated by Grousset Histoire II 472, based on Max vanBerchem "Notes sur les Croisades" (JA IX:19, 1902) p. 412.

40. Runciman History II 371. Checking the lists in Fedalto La Chiesa Latina in Oriente, vol. II (Verona 1973) we find that most of the 13 Latin sees under Antioch had been vacant since 1150 anyway. Had the Greek Patriarchs wanted to place Greeks into these vacant sees, there were many opportunities, but only the Cilician eparchies and Laodicea appear likely. Such appointments would not have displaced any Latins, and the Greeks could easily have been swept out after the Patriarch's death in 1171.

41. Papadopoulos (Theologia 1938) 107; Papadopoulos Hist. Ekkl. Ant. 933-4; Grousset Histoire, II, 692-5.

The editor of Pope Innocent III's Oriental Acts, Rev. Haluščynskyi, depicts a peculiar version of Athanasius' arrival:

> Athanasio, qui Antiochiam 1157-8 veniens, clero latino et graeco concurrente ecclesiam patriarchalem S Petri solemniter in possessionem suscepit. Quo facto Aimericus, latinus Antiochiae patriarcha, Antiochiam interdicto subiecit, ac relicta civitate in castello Qusair reliquum suae transegit vitae.
>
> Acta Innocentii PP. III (Vatican 1944) p. 33

His dates are incorrect, and the only Latin clergy to have greeted the Greek hierarch's arrival were those few who supported the Prince's policies against the Latin Patriarch.

42. Claude Cahen doubts that the monophysite bishops were suffragans in any meaningful sense, La Syrie du Nord (1940) 332.

43. Maurice Grandclaude does not include Chapter 261 of the Livre de Jean d'Ibelin among those which were derived from the laws enacted during the First Kingdom, though his analyses are only tentative in most cases; "Liste d'Assises" (1929) pp. 329-345.

44. The documents related to the legate Pelagius' settlement with Queen Alice of Cyprus, the barons, and the Greek hierarchy, around 1218-1222, are in Tăutu Acta Honorii III (Roma 1950) No. 85 (1221) and No. 108 (1223); John LaMonte (Byzantion 1930) p. 439-522, esp. No. 13 (1220), No. 15 (1221), and No. 18 (1222); MasLatrie Hisoire Chypre, III, p. 622.

45. VandenBrincken, pp. 1-8, though what defined a "nation" was as much religious affiliation as culture, see next note. E. g., the Greek bishop of Gaza, in a Latin document of AD 1173, is called "Surianorum et Graecorum Gazam et Jabin habitantium archiepiscopo", Röhricht, RRH, No. 502.

46. The Frankish kings of Jerusalem are customarily styled "Latin" kings, or kings of the Latins, in their written documents, on their tombs, but not on any (surviving) seals: Chartes de Terre Sainte provenant de l'Abbayé de N.-D. de Josaphat, (ed) Delaborde (Paris, Thorin 1880), the documents on pages 27 (AD 1115), 29 (1115), 33-4 (1120), 45-6 (1130), 60 (1146), and 95 (1212), etc. The Latin Patriarchs are never titled "Latin", but in a document of 1121, Prince William of Galilee titles Bishop Bernard of Nazareth the bishop of the Latins there (ecclesie Latinorum presule), ibid. pp. 35-7; and the Latin canons of the Holy Sepulcre are identified as "Latin" canons in documents from 1155 to 1165, Cartulaire de l'Église du Saint Sépulcre de Jérusalem, (ed) de Rozière (Paris 1849) Nos. 133, 140, 155. On the contrary, later Latin Patriarchs of Jerusalem consciously imitated Byzantine patterns on their seals, starting with Patr. Foucher (1146-1157) et succ, see SOL (1943) pp. 75-78. This was not done by the Latin Patriarchs of Antioch.

For another interpretation of these patterns, see H. E. Mayer "Latins, Muslims, and Greeks" (1978) 175-6, 191.

For the legal significance of the Crusader Kings' title, see Stouff "Étude" (1894) p. 11, note 1; the personal law of a "rex Latinorum" would surely be Frankish, probably Salian law.

Early Norman princes in Apulia styled themselves "francorum comes" (after 1054), and later (after 1074) "francorum atque longobardorum princeps". In Neumeyer Die Gemein. Entwick. (1901) p. 237.

47. Mais les Croisades posèrent devant la Papauté un problème nouveau, au point de vue de la discipline ecclésiastique, et la solution qui lui fut apportée garda toute sa valeur dans l'histoire ulterieure des missions d'Orient. L'installation d'une forte colonie franque obligea les Latins, après quelques hesitationes, à s'organiser sous une hiérarchie uniquement latine, et la coexistence de cette hiérarchie avec celle des églises

> jacobite, nestorienne, arménienne, ou melkite amena les papes à examiner la question des rapports entre ces diverses organisations dans l'hypothese où les divers rites se rallieraient à Rome.

Jean Richard "La Papauté et les missions catholiques au Orient au moyen age" (1941/45) 254-255.

Latent in this sentence is the crucial distinction between Rome's canonical, ecclesiological problems, and the political solutions to them reached by the Kings and patriarchs of Jerusalem, the latter two by no means in accord themselves (see Chapter Fourteen).

Abp. Chry. Papadopoulos reiterates the old account, derived mostly from Letter #2 of Jacques de Vitre -

> It is clear that the Greek orthodox of Syria remained under Greek bishops, despite the absence of their Patriarch, and submitted to the Latin Patriarch and bishops simply out of respect for Frankish temporal might.

Hist. Ekkl. Antiocheia, pp. 930-931.

48. vandenBrincken notes that some Western authors catalogued Orientals on the basis of being in communion with Rome, or not, e.g., pp. 3-4. See quotes from Ernoul and other contemporary documents, to this point, in Chapter 10, p. 289.

48, Jean Richard "La papauté" (1941/46), p. 256, explains this problem well, but then jumps to the chorepiskipos solution reached in 1215 by the Fourth Lateran Council. What had been done during the previous century? Was Rome only canonizing an accepted practice? We tend to support the realistic view, forwarded by Giovanni Rezác, that even in the 13th century, this Canon IX of Lateran IV, which allows for the appointment of vicars for faithful of other rites within a Latin diocese, but not for overlapping (territorially) jurisdictions, was an anachronism, both in the East, and the West; "Sur l'extension du pouvoir des Patriarches et, en général, des églises orientales, sur les fidèles de leur rite" (Concilium [French ed.] 48, 1969). p. 108, note 7.

In other words, existing Oriental jurisdictions were often tolerated in newly-won Latin territories, by requiring only political recognition from them, for to press canonical nicities would require depriving the indigenous bishops of their jurisdictions!

CHAPTER FOURTEEN

Formation of Crusader Policies Towards the Melkites

Throughout the previous chapters, it has become clear that the religious values, identities, and institutions of the Crusaders were not primarily influential in settling the fate of the Melkites. This unsettles two assumptions which we often make: (1) religious norms were paramount in determining personal and social identity in medieval Western Europe; and (2) the community identities and structures of the Oriental Christians were also religiously determined by Islam and prior traditions. Now, would not the meeting of these two sets of religious criteria in Crusader society result in another synthesis of religiously-shaped policies?

The composition and goals of the Crusades worked against religious priorities however, especially the quite contrary goals and policies espoused by the different sectors of Crusader society: the Roman papacy, the local Latin Church, and the Frankish civil administration.

The papal presence in Latin Palestine was very slight, at least during the 12th century, and it was the local Latin Church and the Frankish civil administration which were primarily responsible for dealing with the Melkites and other native Christians.

It is now time to examine the pressures which the local Latin Church and the civil administration faced in 12th century

Palestine, which largely determined their approaches towards the native Christians and precluded the ability of Rome to inculcate her own designs for the Melkites.

1. The Policies of the Church of Rome, Modified by the local Frankish Community

We have previously analysed the papacy's policies towards the non-Latin, especially Chalcedonian Christians who came increasingly under her control after the mid-11th century. These policies chiefly concerned dogmatic discussions and hierarchial compromises.

There was little room for flexibility in theology, as East and West had evolved different Patristic sources (due to differences in language) and different attitudes towards philosophical tools. Each side felt justified in maintaining its own theology and did not appreciate the possibility of multiple interpretations each having its own legitimacy.

Latinizing was more effective among the Oriental Christians in the area of discipline.[1] Ritual variances were often tolerated, but no Pope of our period agreed that any Oriental Rite had equal validity with the Latin in areas where they differed. Ritual variety was dangerous in Rome's opinion, because it spawned scandal and heresy. Non-Latin Rites were tolerated (1) where they could not easily be suppressed, and (2) if they were not in utter contradiction to Roman canons, and (3) presented no danger to the soul.[2]

Matters of church discipline were less tense, as these were not divinely revealed issues. Variety was tolerated here

even in the most scandalous of subjects, as in the case of the married Greek clergy, or the Greek laxity in holding to the traditional times of ordination. Such differences were not invalid, but when conflicts arose they were usually settled by preferring Roman practices.

The policies of individual pontiffs were often divergent when negotiating with Eastern Orthodox in the areas of rites, practices, discipline or jurisdiction. We might contrast the stern legalism of Pope Innocent III and of his cousin Gregory IX (1227-1241) to the flexibility and near indulgence of Popes Innocent IV (1243-1254) and Gregory X (1271-1276). But the Roman approach to healing the divisions of schism and heresy always placed priority upon submission to the universal jurisdiction of the See of St. Peter. In this, papal policies of the 13th and 14th centuries were entirely consistent.[3] Before 1190 however, these dogmatic and disciplinary approaches had not taken on their later consistent configuration.

The energies of the Roman legates in the East had to be invested in sorting out problems with the local Latin Church rather than treating with the Greeks or other sects. Whatever relations Rome wished to establish with the Melkites in the Latin Kingdom had to defer to the needs of the local Catholic hierarchy, which required immediate attention.

At the end of Topic 5, Chapter Thirteen, we indicated that the local Latin churches in the Crusader East had some very special requirements which left little room for maneuvering with the native Chalcedonians, due to problems of property and

titles. As Rome came to appreciate these limitations, she tried to bypass the Levantine Latin Patriarchates and to deal directly with the Melkites. But the strains between the Latin Patriarchate of Jerusalem and the royal government complicated this objective. By analysing these restrictions upon the churches of Rome and Jerusalem, we will appreciate the freedom which the civil sector had to exercise its will over its native Christian subjects.

The Latin Patriarchates in the East were all erected without the participation or consultation of Rome, but she acted quickly to regain the initiative. The papacy intervened in the Crusader East in 1110 and again in 1144 to settle the boundary dispute between the Latin Patriarchs of Antioch and Jerusalem.[4] Indeed, papal legates followed all the Crusades, to regularize disputed elections and accept appeals, where they could not supervise the erection of the new dioceses themselves. But there was little opportunity for the legates to arrange terms with the native Christians, for the de facto terms of the Crusader conquests had made the local Frankish lords, lay and ecclesiastic, the masters of the Melkites' fate.

When the Church of Rome nonetheless pursued her interests in Church Union with the Melkites and Greeks after 1140, the popes learned that the Latin Patriarchs in the East were often a liability both to the cause of Church Union and to the task of obtaining tithes and endowments for the Church in the newly-won territories. Pope Innocent III's difficulties with the Latin Church in the Latin Empire of Constantinople and later

with Lusignan Cyprus made it clear that new approaches and determination were needed if accords with the Greeks were ever to be reached.

So Innocent III and his successors tried to circumvent the local Latin establishment in the East, to deal directly with the Oriental communities. In most cases the local Latin superiors were unable to resist. But when Innocent IV's legate Fra Lorenzo (in 1246/47) offered the Palestinian Greeks terms by which they would be answerable only to Rome and bypass the Latin Patriarch, the Pope squelched the plan, not because he disapproved of the arrangement -- indeed he implemented it elsewhere -- but he could not ignore the complaints of the Latin Patriarch Robert.[5] And the insistences of the Latin Archbishop of Nicosia later caused Alexander III, in 1260, to abandon Innocent IV's scheme for separate Latin and Greek obediences on Cyprus. The lay and cleric Crusaders had taken the initiative to set up a civil and ecclesiastical system suited to their own needs; the Roman Church was never able to overcome this handicap.

In all the Crusader principalities, the aspirations of the papacy were further checked by the conflicts between the Frankish regime and the local Latin Church. While Rome supported the Church's claims against the lay rulers for her rightful incomes, these same barons and kings were a useful check for Rome against the autonomous tendencies of the local Latin primates, who were educated in their recalcitrance by the traditions of their Greek predecessors.[6]

Rome's interests thus lay in balancing the lay and clerical powers in the Latin East, and the maintenance of this balance limited the scope of Rome's plans for implementing fuller Church unions with the native Christian communities.

The very diversity of Oriental Christian sects in 12th century Palestine also created ambivalent opportunities. On the one hand, the absence of a single strong native church lessened Rome's urgency to arrange a Roman-Melkite union, compared to the urgency of the issue on Melkite-dominated Cyprus. On the other hand, the diversity also lessened the leverage the Melkites had with the Latin regime or with Rome to obtain favorable terms.

We shall now look at these other two institutions which crucially limited Roman aspirations and determined how the Melkites were to be treated.

2. Policies of the Latin Patriarchate of Jerusalem towards the Native Christians[7]

We have noted how the Latin Patriarchs, anxious to secure recognition of their rights to incomes and tithes, often resorted to the claim of their succession to the rights and incomes of their Greek predecessors. The goal of such claims was to gain hold over some of the extensive Melkite incomes and properties which had already been apportioned among the lay authorities.

Though most of the Latin hierarchs were docile partners to the Crusader rulers, their Church's need for incomes and

endowments was a gnawing urgency. It is important to realize that many of the Latin shrines and religious houses were well endowed with incomes and holdings all over the Latin East and in Western Europe.[8] But the regular organization fared less well; most episcopal establishments such as Banias, Caesarea, and Ramlah for example, were not famed pilgrimage centers nor had any real attraction for the pious faithful as did Nazareth and Bethlehem. So it is usually a few particular bishops who are most zealous to acquire incomes and who are involved in squabbles between themselves and their often well-endowed chapters. In Jerusalem and Bethlehem, for example, the cathedral canons, who elected their superior bishop, had been granted quite adequate incomes in which the bishop and Patriarch had no share. Bishop Hugh of Gabula's claim on booty (Chapter Nine, note 5), Patriarch Daimbert's claim on a quarter of Jerusalem (Chapter Seven, Topic 3), Patriarch Stephen's (1128-1130) attempt to revive Daimbert's claims to Jerusalem and Joppa,[9] and the Patriarch's (Amalric?) attempt to tithe the Armenian imigrants (Chapter Nine, Topic 5b) are only a fraction of the clerical-lay litigations which exercised the legal talents of the Levantine Franks.

Resistance to these demands came from the Kingdom's lay lords who usually held the lands claimed by the Church (Chapter Seven, Topic 3b). The Latin Patriarchate in particular was checked in its ambitions quite early. King Baldwin I acted firmly to assert the royal prerogatives and ignored the claims of Patriarch Daimbert over the City of Jerusalem, and thereafter

patriarchal elections were subject to final approval by the kings.[10]

How free was the Latin Church in Palestine to pursue its own objectives with respect to the native Christians, or at least to their properties? We are speaking only of the episcopal or secular clergy and the canons or cathedral chapters; the regular orders and the monastic institutes were somewhat autonomous from the Patriarch and had policies independent of him and the bishops. In this restricted sense, the Latin Patriarchate in the Holy Land was utterly dependent upon the law powers in matters of enforcement of claims and discipline, especially over non-Latins who were uneffected by the threat of excommunication.

Obviously, Latin ecclesiastical writ ran only as far as the effective boundaries of the Frankish principality. Within these borders, the resistance of the laymen restrained the Church's hold not only on tithes and dues from Latin Christians, but from the native Christians too, because the latter's wealth, lands, and cooperation represented a treasure of the state which the state was not prepared to jeopardize for the benefit of ecclesial claims.

The Church's concern for incomes independent of the civil magnates had its counterpart in the local Church's struggle for autonomy from Rome. The Latin Patriarchs of Jerusalem, Antioch, and Constantinople were all instituted on Crusader initiative without Rome's prior approval. But in a very short time, papal legates appeared in the newly-won Crusader territories,

not only to see to the well-being of the Latin faithful, but also to insure that the new Latin hierarchies were subject to Roman discipline and jurisdiction.[11]

Like the knights and nobles of the first Crusader generations, the local Latin clergy came from too varied backgrounds and interests to unite to resist the single-minded policies of the papacy. Rome had many avenues by which to make good her authority over the new Latin Patriarchates in the East, not the least being disputed elections.

But this worked both ways. The Anacletan Schism in the Roman papacy (1130-1138) offered an opportunity to the Latin Patriarchs to assert their autonomy from Rome. Patriarch Radulf of Antioch (1136-1141) and Patriarch William of Jerusalem (1130-1145) both wooed the two factions in Italy from their newly-asserted positions of independence, on the grounds that their Sees had not been subject to Roman intervention prior to 1099. By 1140, Pope Innocent II (1130-1143) was strong enough to re-educate these two; Radulf resisted the papal legate Cardinal Alberic of Ostia and was deposed; William submitted and kept his throne.[12]

In the reverse situation, just as papal legates were able to impose papal prestige to settle local disputes in the East, the prestige of the legate's office was also used to insure one's election to the Patriarchate, and in that new role, some former legates attempted to use their Patriarchal dignity to resist Roman pretentions. The career of Daimbert (or Dagobert) of Pisa is well known, as are his claims to have been the pope's

legate to the East, a rank which he used to depose the original candidate Arnulf and to become Patriarch himself.[13] Archbishop Gibelin of Arles came to the Levant as papal legate and was elected Patriarch of Jerusalem (1108-1112).

So while some anxious candidates to the Patriarchate utilized their rank of legate to further their chances, the papacy was able to send new legates to check these ambitious hierarchs. The integrity of the Patriarchal office had been undermined by the tactics of some of these candidates who then found that they were not able to reconstitute their authority to resist the jurisdictional claims of Rome. Such events in Jerusalem and Antioch were rehersals for similar episodes in Latin Constantinople.[14]

The first six Latin Patriarchs (1099-1130) had spent very little time in the East prior to their election. During their unstable terms in office, no consistent policies were followed regarding the Melkites, and so the initiative rested with the state. But the next four Patriarchs (1130-1191) were much more familiar with local practices, and with the limitations of their authority. These later Patriarchs accepted the practical considerations we outlined earlier (Chapter Thirteen, Topic 5). According to those, the semi-formal acquiescence of the Melkites to Latin hegemony was achieved by not pressing impractical Roman claims of obedience and ownership upon the native Christians. In return, the Latin bishops were able to control some of the Melkite properties and incomes needed to support their obligations.

In the end, the strict supervision by Rome, the monopoly of power held by the Frankish kings and barons, and the greed and pliability of individual Latin hierarchs brought about the decline of the Latin Church in Palestine as an independent agent in influencing the status of the Melkites.[15]

3. The Policies of the Frankish Lay Powers towards the Native Christians

The Latin Kings of Jerusalem and the lay baronage were the most adaptive elements in Latin Outre-Mer, though not adaptive enough for a conquering but tiny elite surrounded by alien elements. The later waves of ardent Crusaders were often scandalized by the ways European pioneers had accomodated themselves to local realities: oriental clothing and food were popular among the Palestinian Franks, as were marriages with Syrian (in the most general definition) women, and some were proud of their knowledge of Arabic.[16] The Franks' growing knowledge about their surroundings made them realize their limited ability to mold the environment; what could not be changed could usually be accepted. This was nowhere more apparent than in the Kingdom's policies towards its native subjects.

The establishment of the Franks in the Levant had not been a subtle infiltration; a succession of Fatimid armies were turned back and some coastal cities had to be taken quickly in order to maintain the Crusade's critical ties to Western navies. The conquests of Jerusalem (1099), Caesarea (1100), Haifa (1100), and Beirut (1110) and Jaffa (1099) were accompanied by the slaughter of their inhabitants or their flight. After securing

this foothold, the Franks could be more leisurely; the later victories over Acre (1104), sidon (1110), Tripoli (1109) and Tyre (1124) were achieved by treaties whose terms accorded protection for the lives and properties of the defeated, and which were generally carried out.[17]

The Latins quickly learned that they were dependent upon the native population, for how could rulers become rich without subjects to produce? The Crusader lands were often under-populated and settlers from the West were not sufficient. Those who did come were thereby freemen anyway, and so many more residents were still needed who would work the land.

For this reason, King Baldwin I journeyed across the Jordan in 1115, in the course of which he issued appeals for immigrants to settle in his domains. Many families responded, especially Christians from the areas of Amman, al-Salt, Kerak, and Shaubek.[18] When they arrived, the new settlers were given lands and some temporary tax exemptions. Melkites and other Christians who remained or settled in the coastal cities also experienced an improvement, as they benefitted from the relative stability of the revitalized ports in the Crusader Levant.

And we've already seen the readiness of the Crusaders to sanction the continued activity of the native courts and other institutions of their subjects.

Muslims were not excluded by these realistic policies of the Franks. The telling statement is that of the Armenian Prince Thoros who commented upon the many Muslim serfs on whom the Franks were critically dependent.[19] Although they were

serfs, Ibn Jubayr recounts the enviable conditions under which his Muslim coreligionists lived in Latin Palestine compared to the lot of poor Muslims in Seljuq Syria and 'Iraq.[20]

We are, thus, not surprised by Usama ibn Munqidh's story of a Frankish visitor who was surprised and scandalized that his (orientalized) Frankish hosts in Jerusalem should allow Usama to perform his Muslim prayers, albeit discretely, in the Temple compound.[21]

And royal marriages -- the most symbolic arena of diplomacy -- evidences the Crusaders' awareness for accomodation to the region's powers; practically all of the Latin Kings of the First Kingdom (1099-1187) had consorts drawn from Armenian, Syrian, and Byzantine noble houses.[22]

This long recital leads to my principal conclusion: though they may have wished otherwise, the Latin rulers had no capacity to remold the social features of their Palestinian realm, and wasted no effort in the attempt. Their allies most readily at hand were the native Christians, and while the Crusaders have been judged to have taken advantage of their many common ties to the native Christians most ineffectively, their sins were more of omission than comission.[23]

Frankish tolerance, however, was not consistently benevolent. It was not even tolerance; rather the recognition that some things could not be changed. If the Frankish well-being demanded it, the social landscape of the native Christians was altered, or at least the effort was made. The national and exclusive nature of the Frankish ruling caste excluded the

natives, Christian or Muslim, and relegated them to second-class rank; their properties were subject to confiscation, and in the countryside the natives were tied to the land as serfs, regardless of their religion. Such servitude was a new humiliation for the native Christians, but otherwise they fared as well under their new Frankish rulers as they had under their Muslim predecessors.

Like the Muslims before them, the Franks insured the autonomy of the native communities, and though this autonomy rendered them separate and unequal, the Melkites and Jacobites had no desire to be incorporated into the Frankish nation anyway.

The Armenian and Jacobite hierarchs were treated with respect, and were paid the dubious compliment of becoming co-conspirators in Frankish squabbles: when Aimery, the Latin Patriarch of Antioch, was displaced for a time by a Greek rival in 1166-1171, he found hospitality among the Jacobites; Count Joscelyn of Edessa intervened positively a number of times to resolve Jacobite communal disputes; Michael the Syrian's rival in the Patriarchate, Theodore bar Wahbun, obtained some recognition from the Frankish authorities in Palestine. The sympathies for their mother's native Syrian community led the four daughters of King Baldwin II by Morphia of Melitene to seek occasions for insuring the welfare of Jacobites and Armenians in their domains.

As the Franks favored the retention of most of the indigenous communal institutions, this included the Melkite bishops as well. Suspicions of disloyalty to the Crusader

regime were practically the only cause for eviction or suspension -- recall the charges of treason against Patriarch John Oxite of Antioch. Sympathy for Byzantium would not place the Melkite bishops under suspicion, for the Greek Empire was not often an overt enemy of the Kingdom of Jerusalem. Rather, Melkite sympathies for the Muslim powers was a liklier threat to Latin security. But the Franks were too dependent on the native Christians to take any strong measures to counteract Melkite relations across the border into Muslim territories.

The activities of the Melkite Church in Palestine, though restricted from what they'd been in the 11th century, would have been impossible if the lay Crusader authorities had taken a mind to enforce the designs of the Latin Church, but they didn't. In this regard, we've recorded the constant preoccupation of the laymen to keep for themselves the fruits of their conquests, and their reluctance to assign any significant share of their incomes to the Catholic Church.

Military support was the principal anxiety of the kings, and when the new military religious orders proved able to provide this, the Crown and the barons quickly ceded to the Orders lands and incomes which were tied to the obligation for defense that they could no longer support. For the prayers of monks and canons, they paid a great deal less.

The aggrandizing aspirations of the clergy and the papacy carried no weight at all against the need to preserve the Kingdom's security by preserving the communal harmony among their subjects.

This may appear surprising in light of the religious character and goals of the Crusading enterprise. But while the conversion of the infidel, the unification of the churches, and the recovery of the Holy Places were among the proclaimed purposes for taking the Cross;[24] the practicalities of maintaining the Latin presence in the East entailed compromises which never ceased to amaze subsequent Crusades, missionaries, and the Papacy.

* * * * *

The policies which settled the fate of the Melkites in the Latin Kingdom were unblemished by contact with any of the rhetoric of Crusade, be it rescue or conversion. Rather, the policies served the pragmatic needs of their creators, and among those the lay powers were dominant. There was hardly any dialogue among the three institutions over the native Christians. Instead each party acted more by instinct: the Roman Church presuming a unity of jurisdiction where there was none; the Frankish kings grasping at any means to achieve security and fiscal control regardless of precedent; and the local Latin church anxious to acquire sufficient independent status and income by whatever claims. The native Christians were constrained to accomodate themselves to their new masters by whatever face-saving devices proved useful.

Our final chapter, therefore, will offer a portrait of the First Latin Kingdom of Jerusalem as a nearly pure Frankish civil creation, set amidst a pluralistic Oriental Christian world, and largely unencumbered by Catholic designs eminating either from Rome or Jerusalem.

1. W. DeVries Rom und die Patriarchate des Ostens (1963) pp. 223-4.

2. Canon iv of the Fourth Lateran Council (AD 1215):

> Licet Graecos [in] diebus nostris ad oboedientiam Sedis Apostolicae reverentes fovere et honorare velimus, mores et ritus eorum, in quantum cum Domino possumus, sustinentes [sustinendo]; in his tamen illis deferre nec volumus nec possumus [debemus], quae periculum generant animarum et ecclesiasticae derogant honestati.

On the interpretation of this canon, see deVries Rom, p. 187, n. 17, and deVries Inn. III, p. 113, n. 102.

3. "The oath of obedience was the external sign of accepting the Roman teaching on the primacy, and ... its primary purpose was to insist on the point of doctrine that it asserted."

Thus Pope Innocent III was not subordinating doctrine to politics, for to submit to Rome was the first step to solving the dogmatic variances by means of Roman orthodoxy. J. Gill "Innocent II and the Greeks; Aggressor or Apostle?" in D. Baker (ed) Relations between East and West in the Middle Ages (Edinburgh, 1973) p. 97.

4. The papal letters to the Patriarchs of Jerusalem and Antioch (Latin) of this period call upon the bishops of the region (modern Lebanon) to give full obedience to their rightful superior, the Latin Patriarchs. Halušcynskyj interprets these letters to mean that the non-Latin, Greek bishops of the region are being told to submit to the Latin Church, whereas these letters concern the new boundaries between the two new Latin Patriarchates, entailing the splitting of the Metropolitan province of Tyre, and the need for some former suffragans of Tyre to submit to another superior. In other words, these are all Latin bishops referred to in these papal letters, not Melkites or other Oriental hierarchs. See his "Introductio" Acta Inn. III (1944) p. 20.

5. Halušcynskyj & Wojnar Acta Inn. IV (1962) Nos. 35 and 39; Cahen La Syrie du Nord (1940) p. 684; Hotzelt Kirchl. Organ. (1940) p. 96.

Runciman notes that during the Second Latin Kingdom, at Acre, the Greeks were treated as a separate community, with less pretense of a union with Rome than during the First Kingdom, The Eastern Schism, p. 98, n. 3. During the Second Kingdom, of course, the Latin Patriarch did not reside in Jerusalem, but a Greek Patriarch did, which made quite a difference. Moreover, we suggest that the Greeks had always been treated as a separate community, even during the First Kingdom.

6. LaMonte Feudal Monarchy (1932) p. 205.

7. Emil Hampel Untersuchungen über das lateinische Patriarcat von Jerusalem (Breslau 1899).
Fritz Kühn Geschichte des ersten lateinischen Patriarchen von Jerusalem (Leipzig, 1886).
Chrysostomos Papadopoulos Historia tès Ekklesía Hierosolymōn (Alexandria, 1910) pp. 372-395 [Athens 1970 ed. pp. 408-439].
M. Spinka "The Latin Church of the Early Crusades" (Church History 8, 1939) 113-131.
Wilhelm Hotzelt Kirchengeschichte Palästinas im Zeitalter der Kreuzzüge (Cologne, 1940) pp. 42-138.
Henri Musset Histoire du Christianisme, spécialement en Orient (Harissa, 1948) vol. I, pp. 435-455.
Giorgio Fedalto La Chiesa Latina in Oriente (Verona, 1973) vol. I, pp. 85-134.

8. William of Tyre IX xiii [= RHC: occ. I, 584], and Chapter Seven, Topic 3c and note 28.

9. Spinka, 122.

10. L. de MasLatrie Chronique d'Ernoul (Paris 1871) pp. 83-84; Jerrold Atlas Organization of the Kingdom of Jerusalem (Ann Arbor, Univ. Microfilm 1970) p. 25 ff.
The final example of Patriarchal dependence on the royal court is archbishop Heraclius of Caesarea, whose name was submitted as first choice in 1180 to King Baldwin IV, archbishop William of Tyre being second. Heraclius' confirmation was assured by his close ties to the Queen Mother Agnes, MasLatrie, Ernoul, 83-4; Hotzeit, 131-2.

11. Papal confirmation of Patriarch elections was required by canon 5 of the Fourth Lateran Council (1215), and entered into Canon Law, Corpus Iuris X, 1, v; tit. xxxiii "De privilegiis", c. 23.

12. LeQuien Oriens Christianus (Paris 1740) vol. III, p. 790; Chry. Papadopoulos (Theologia 1938) p. 107; Hefele-Leclercq Hist. Concil. vol. V:1 (1912) in section on the synods held at Antioch and Jerusalem, 1140-1141.

13. There is some question that Daimbert may not have been a bona fide papal legate but that Arnulf instead was a papal legate! See two articles by Jean Richard "Arnoul de Choques, légat pontifical à la première Croisade" in Recueil de Travaux offert à M. Clovis Brunel (Paris 1955) vol. II, pp. 420-423, and "La papauté et la direction de la première Croisade" (Jour. des Savants 1960) pp. 49-58.
Daimbert's downfall was supervised by the new legate, Cardinal Maurice; Hotzelt Kirchl. Organ. pp. 58, 63, and Fedalto, p. 119.

14. The first Latin Patriarchs of Constantinople proved to be unreliable representatives of the Church Universal (Rome). But here the situation was partly determined by the initial agreement among the members of the Fourth Crusade, whereby Venice won control of the Patriarchate. Patriarchs Thomas (1204-1211), Gervase (1215-1219), and Matthew (1221-1225), all Venetians, constantly quarreled with the papacy over issues of precedence and authority. After tolerating decades of unwarranted autonomy, Rome intervened finally, and thereafter practically governed the Latin Patriarchs of the Empire directly by maintaining a permanent series of papal legates at Constantinople, with authority to override decisions of the Latin Patriarchs. See Fedalto, pp. 215-217. In addition to the bibliography there, add Walter Norden Das Papsttum und Byzanz (1903) and his sources, pp. 275-276.

15. See the accounts of Patriarch Heraclius' tenure, especially his preoccupation with church treasure up to the day Saladin allowed him to leave Jerusalem in 1187.

16. As an introduction to such questions: N. Iorga "Quelques observations sur les rapport entre le monde oriental & les Croisés" in Mélanges d'Histoire du Moyen Age offerts à M. Ferdinand Lot (Paris, 1925) 259-274; Jean Ebersolt Orient & Occident, vol. 2 Recherches sur les influences byzantines & orientales en France pendant les Croisades (Paris 1929), esp. Chpt. VI of vol. 2 "Le Royaume chrétien de Jérusalem"; John L. LaMonte "The Significance of the Crusader States in Medieval History" (Byzantion 15, 1940/41) 300-315. Ben-Ami Social Change in a Hostile Environment (Princeton, 1969) 118-122.

17. Hadia Dajani-Shakeel "Displacement of the Palestinians during the Crusades" (Muslim World 68, 1978) 151-175, and Em. Sivan "Refugiés syro-palestiniens" (REI 35, 1967) 135-47.

18. William of Tyre XI xxvii, and comments by Odeh-Issa Les minorités chrétiennes (Jerusalem 1976) p. 148.
J. Hajjar Les chrétiens uniates du proche-orient (Paris, 1962) p. 165 writes that his source was al-Zahiri, but that author makes no mention of Christian populations in Moab nor of any Frankish encouragement for them to emigrate thence to Latin Palestine.
J. Nasrallah "Les historiens musulmans" (Bull. Ét. Orient. 30, 1978) p. 116 says that al-Qalqashandi speaks of the mašāriqa whom King Aimery brought in as settlers. Does mašāriqa really mean Melkites, as Nasrallah insists? And King Aimery's reign is a full 50 years after King Baldwin's.

19. MasLatrie Chronique d'Ernoul (1871) pp. 27-28.

20. RHC: Hist. Orient., vol. III, p. 448, bearing in mind Mayer's caveat about Ibn Jubayr, in "Latins, Muslims, & Greeks" (1978) p. 181, n. 19.

21. H. Derenbourg Vie d'Ousama ibn Mounkidh (Paris, Leroux 1889) vol. I, p. 163-4. Ibn Jubayr relates a similar experience, in Acre, RHC: Or. III, p. 451.

22. King Baldwin I married Arda, daughter of the Armenian princeling Thatoul while yet in Edessa, but he later put her away to marry Adelaide of Sicily, after becoming King of Jerusalem; Baldwin II had married Morphia of Melitene before becoming King of Jerusalem, but three of his daughters married Franks (a 4th entered religion); Baldwin III married Theodora, a niece of Emperor Manuel Comnenos; the Emperor's grand-niece Maria was married to King Amalric (and after his death, married to Balian of Ibelin). Waleran of Le Puiset, the lord of Birejik, married the daughter of Abu'l-Gharib of Birejik. The Frankish lords of Antioch and Edessa living in regions where Franks were a smaller percentage than in Palestine, and where native alliances were more helpful, intermarried much more frequently. In the end, inter-marriage was a regular option among the ruling class, rare among the baronage, for whom marriages of land and wealth among their own class was critical; and more common again among the Frankish commoners, for whom there were rarely enough Frankish women to pick from. See Runciman, History, vol. II, pp. 100, 294. Also B. Hamilton "Women in the Crusader States" (1978).

23. Jacques de Vitry, in his Oriental History, notes that the Syrians, Greeks, Jacobites, Maronites, Nestorians, Armenians, and Georgians, are very necessary to the Holy Land due to their skills in trade, agriculture, and other useful arts, Chapter 67. Ben-Ami Social Change pp. 60-63.

24. A brief review of works about the various intentions of the Crusaders:

Paul Alphandéry La Chrétiente et l'Ideé des Croisade (Paris, 1954), vol. I pp. 27-9, 51, 126-7, 210-212.

Carl Erdmann Die Entstehung des Kreuzzugsgedankens (Stuttgart 1935) [Eng. trans. The Origin of the Idea of Crusade (Princeton, 1978)], and the review of Erdmann by Louis Brehier in (Rev. Hist. Eccles., 32, 1936), pp. 671-676.

Allan Cutler "The First Crusade and the Idea of Conversion" (Muslim World, 58, 1968) pp. 57-71, 155-164, and the response to it by James Waltz "Historical Perspectives on Early Missions to Muslims" (Muslim World, 61, 1971) 170-186.

Maureen Purcell "Changing Views of Crusade in the 13th Century" (Jour. of Relig. History [Sydney, Australia] 7, 1972/73) 3-19.

On Byzantine views of Crusader aims:

V. Laurent "l"Ideé de Guerre Sainte et la tradition byzantine" (Rev. Hist. du Sud-Est Européen 23, 1946) 71-98.

Peter Charanis "Aims of the medieval Crusades and how they were viewed by Byzantium" (Church History 21, 1952) 123-134.

Paul Lemerle "Byzance & la Croisade" in Storia del Medioevo, (Florence, 1955) pp. 595-620.

CHAPTER FIFTEEN

Melkites in the Frankish World

We believe we have shown that the status of the Melkites in the First Latin Kingdom of Jerusalem was largely determined by the needs and values of the Frankish civil administration. It should also be evident that the small ruling elite of Western Europeans felt their greatest need to be security, and their highest value the maintenance of their elitist way of life. The rise of the Zenghid and Ayyubid princes threatened the Kingdom's security and insured its continued dependence upon European immigration. And the successive waves of Crusades and immigrants from the West insured that the dominance of Frankish culture would not be sacrificed to assimilation of oriental culture.

The native Christians of Palestine, especially the Melkites, were the crucial middle term, providing a geographic, demographic, and social buffer between the two antagonists, the Frankish and Turkish warrior classes. The complaisance of the Melkites and Jacobites and Maronites really made it possible for the Latin Kingdom to exist at all, along with the initial complaisance of the Muslim powers. The Franks knew this, and for this reason they allowed the Melkites and the other Christians to continue to exist as they had. The precise contours of their arrangements and the status of the Melkites has been the aim of this work.

Our summary will pass beyond these details to an appreciation of that which allowed the Franks and Melkites to accomodate each other at the social level. The Crusaders had little difficulty integrating the native Christians into their laws and administration because the Western European types of communal and personal identity were not very dissimilar to those of the Melkites.

1. Eastern and Western Models of Social Plurality

We've had occasion to explain in Part One (especially Chapter Three, Topic 2) how Islam envisioned a unity of religious belief and civil law among her non-Muslim subjects, for this was the vision Islam had of herself.

The Jews most closely corresponded to such expectations, but among the Christian communities, those which had lived in the Roman Christian Commonwealth only partly fulfilled them.

Despite the social concerns of the Christian faith and the ecclesiastical interests of Roman Law after Constantine, there remained two systems of justice for Roman Christians, and the new ecclesiastical courts were concerned only with clerics. It is true that bishops often functioned as civil servants and court agents frequently in the first century after Toleration and again after the 11th century in Byzantium, as they also did in the Dar ul-Islam. But this confusion of judicial and church officers did not entail the confusion of civil and church laws.

This duality of laws did not come to pass in the Muslim East. In response to the legal expectations of Islam, the

Eastern Christian communities, deprived of their independent civil government (if they'd had one before Islam), elaborated the legal competence of their bishops to include additional aspects of civil law. This broadening of episcopal jurisdiction furthered the ability of the Melkites to survive as a minority in the Middle East.

Minorities fared less well in Western Christendom. According to classic Christian Roman Law, Jews, pagans, and heretics suffered civil disabilities but retained some legal autonomy as Roman subjects.[1] For example, even heretics could hold public office (urban curiales) and could marry orthodox spouses, and had rights to hold property.[2] To change from being a Jew, pagan, or heretic to an orthodox Christian automatically erased these disabilities. The far more onorous disabilities attached to being a barbarian were also immensely mitigated by adoption of religious orthodoxy.[3] Later Byzantine practice followed these norms.[4]

By the time of Charlemagne, only the Jews and some Moors were granted special legal considerations of autonomy and immunities, coupled with civil disabilities and isolation. Orthodox religious belief (Roman Catholicism) was a pre-condition to legal recognition, to being granted any human rights among Christians in Western Europe.[5]

The mainstay of a civil juridic identity, the Roman Civil Code, soon lost its dominance in the West, in the face of the establishment of so many tribal states governed by peoples with their own laws. But these customary laws emanating from

racial/national groupings were also a means of sustaining the tradition of there being a legal element to personal and social identity. This was due to the tradition of personal law, which we analysed in Chapter Ten, Topic 3. Because the personality of law allowed a variety of bases for social identity -- birth, marriage, fealty, religion -- the theoretical distinction between the civil and ecclesiastic forums remained undiminished.

Despite widely divergent historical experiences, Eastern and Western Christianity had evolved somewhat analagous legal structures, containing a balance of distinct civil and ecclesial elements. This slender analogy enabled the Franks to propound their social compromise with their native Christian subjects of the Levant in the forum of law.

The Frankish Crusaders arrived in the Levant imbued with a curious social vision: a tradition of distinct sacred and secular orders, and an homogenous religious set of assumptions determining membership in society.

2. The Native Christians in Frankish Society

The society which the Normans, and Franks in general, shaped in the Holy Land was part of a larger pattern of theirs, which we can survey to understand better the mosaic of 12th century Palestine. Unfortunately, the other kingdoms ruled by a similar Frankish elite offer only limited scope for comparison.

In Sicily and southern Italy, the Normans were certainly as foreign to the Lombards as to the Greeks and Arabs, but the size of the latter communities declined and their remnants were partly absorbed into general society. Separate courts and status

for Orthodox Christians vanished in a few generations, surviving only partially in church law. The Normans had Roman Christianity and a Latinized higher culture in common with the majority of their Italian subjects, such as the Lombards, so that their co-option into the ruling cast was simplified.

In Greece, the Franks and Venetians did rule as a colonial caste over a Greek (speaking and worshipping, if not racial) majority, so separate community structures remained until the end, despite aethereal church unions.[6]

The Norman principality of Antioch was also a colonial state governing large Greek and Armenian populations. The series of ecclesiastical experiments effected in Antioch, whereby Greek patriarchs attempted to function over both Latins and Greeks, only shows how seriously the Norman dynasty took its dependence upon the Greek majority, and their utility as allies to fend off Roman and Armenian interests. Greek influence was felt at all levels of communal administration.[7]

The relative security of the island of Cyprus tempted the Lusignans, and later the Venetians, to plant themselves as settlers and to exploit the land more thoroughly than could be done on the mainland. This greater tyranny evoked rebellion by the natives, most of whom were Greek Orthodox. In their efforts to subdue the island, the Franks systematically tried to fragment the Orthodox Church, with the result that we have learned a great deal about the range of Frankish policies towards the Greeks of Cyprus, some of which we can apply to Palestine.

During the early Lusignan period on Cyprus, Greeks and

Syrians were often distinguished in such a fashion that "Syrian" cannot mean Jacobite.[8] Rather, the distinction is based in law, for "Greek" refers to a people who live according to Byzantine ecclesiastical and civil law, and Cypriotes had been Byzantine subjects again since 965 and under an Arab-Byzantine condominium for centuries before. In turn, "Syrian" refers not just to native speakers of Syriac (for so were Jacobites and Nestorians), nor specifically to those who had moved to Cyprus from the mainland province of the Patriarchate of Antioch. As used in the legal documents of the Lusignan period, "Syrian" refers to all Chalcedonians who lived under the Syro-Roman Law Code as dhimmi subjects from Muslim states.

These Syrians were co-religionists with the Greek Chalcedonians, and so Patriarch Germanos II of Constantinople (1222-1240) [at Nicaea] could address them both in his letter to the Cypriote orthodox in 1229.[9]

But for the Franks, the legal/racial distinction between the two was a more useful administrative tool than their religious unity. Thus the Syrians were granted their own court headed by a <u>rais</u>, while the Greeks were placed more thoroughly under Frankish courts.[10]

Although we do not suggest that 12th century Latin Palestine was as sophisticated as 13th century Lusignan Cyprus, the attitudes and motives of the Franks towards their Christian subjects was quite the same in the previous century.

Unlike their new conquests in England, Spain, southern Italy, Sicily, and north-east Europe, the Frankish principal-

ities in the Levant were obviously colonies, elitist regimes governing populations whose credal and national heterogeneity were never likely to be overcome.[11] Faced with this, the Crusaders responded with utmost ingenuity.[12]

A multiplicity of legal systems was retained in the civil order, corresponding to the distinct national divisions of the Palestinians. This was an arrangement neatly prepared for the Crusaders by the prior centuries of Islamic rule, which had insisted upon the legal autonomy of its many non-Muslim communities.[13] In dealing with the Melkites, the Franks could ignore the dogmatic basis behind the Muslim-dhimmi separation and instead subordinate religion to race, because the religious communities of the Middle East and the racial/national peoples of Western Europe had a common mode of social identity, law. Thus the eight non-Frankish nations of Latin Palestine were accorded recognition of legal autonomy without regard for their religious affiliations as such, but rather their legal traditions.

Franks and Melkites each had ethnic and religious elements in the amalgam which composed their members' identities. To enable their colonial regime to function, the Franks compromised their religion, but not their ethnicity. Or rather, they compromised the vision of a unity of society so as not to compromise religion or race, leaving each to operate in its own sphere.

In this most basic of areas, the Franks treated the native Christians as did the Muslims, constraining them to identify ever more closely with their sectarian communities. Islam at least offered her dhimmis the pride of martyrs and witnesses,

Jews as Jews, and Christians as Christians. Ignorance, pettiness, and greed prevented Christian dhimmis from successfully overcoming their historical divisiveness to witness to their common faith as a single community, had Islam been willing to permit this. Most Muslim regimes certainly made little effort to implement the Qur'an's unitary vision of Christians and Jews (see Chapter One, Topic 2).

The Catholic Crusaders had it in their power to recognize the common religious faith of the native Christians in Palestine and Syria, but chose instead to perpetuate the historical legal, ethnic, linguistic, and dogmatic divisions among them.

The interests of the Roman Church in reaching more intimate relationships with the Melkites could not be entirely ignored. So the Franks allowed the Latin Church to effect such ecclesial rapprochements as she could among the native Christians, for a unity of church discipline corresponded to the arrangements familiar in Western Europe. Yet such projects concerned only the spiritual order, and had not the impact in the civil order as would have been expected in Europe. This compromise between the Crusader state and church affirmed the distinction between the religious and civil orders in Palestine to a degree greater than Europe would know for many centuries.[14]

3. Response of the Melkites

How did the native Christians respond to this approach? At one extreme were the Syrian Jacobites. Because they'd never

experienced independent Christian government dominated by their sect, civil and religious status had been identical for them. They considered this Frankish experiment foolish, but appreciated its practicality. Insofar as the Frankish domain was peripheral to the monophysite heartland, the Jacobites responded with aloof resignation to the Latin Church's urgings for ecclesial alliance, while obliging the Frankish state's preference for keeping non-Franks in separate and inferior categories.[15]

At the other end, the Greek Melkites felt more acutely the disparity between civil and religious identity and status, for their legal traditions under Islam had been acquired more recently than the Jacobites, and their memory of a Christian civil order was fresher. Thus the Crusader application of dual standards was filled with tension for them. While excluded from equality with the Franks in civil matters along with the other native Christians, the Melkites were unable to resist the ecclesial plans of the Roman Church. And despite the more intimate union of the Melkite and Roman Churches and the resumption of good relations between the Latin Kingdom and Byzantium in the late 1160s, an exiled Greek Patriarchate of Jerusalem was maintained in Constantinople and the Franks never relaxed the juridical and fiscal boundaries between themselves and their Melkite subjects.

One final, intangible factor must be mentioned, to account for the Frankish preference to maintain themselves apart from their native Christian subjects, a lack of mutual respect.

Muslims respected the autonomy of Jews and Christians because of some positive attributes attached to their identities.

This protected status was not an enviable one of course, and at times it was a shameful status for dhimmis to bear.[16] After all, this protected status was not one chosen by them, but imposed, and so is no more attractive to Christians than the Christian view of Muslims as mere heretics in a provincial Christian mode is to Muslims.

Byzantine Christians pitied their fellow Christians in the Dar ul-Islam and used any opportunity to erase the centuries of dhimmi servitude and restore the Melkites to civil superiority as Roman Christians. (See Chapter Two, Topic 4.) Like the Greeks, the Western Crusaders never saw the way of life of the dhimmi Christians as a valid Christian experience, but only a kind of servitude, fostering lassitude, a lack of warlikeness and manliness, and heretical theology.[17]

Thus in the eyes of all their neighbors, Christian and Muslim alike, the Melkites and other Oriental Christians were alienated from every positive attribute of civic and religious pride. In worse condition than Jews scattered in the Diaspora, the Melkites were exiles in their own homes. The peoples who alternately dominated their lives each offered the Melkites the same remedy; abandonment of their servile way of life by entering the prevailing dominant faith community, be it Arab Islam, Byzantine Hellenic Orthodoxy, or Latin Frankish Catholicism.

And the Latin offer of assimilation was the less generous of the three, though greater in the West than in the East. For it was a Rome metamorphized as Christendom which proffered

Christian citizenship to the barbarians, but wary Frankish warriors who guarded the gates of the Roman faith in the East. So it is not surprising that this limited offer was accepted by a limited few.

The Maronites had retained some measure of self-esteem as warriors in the Lebanon, and accepted the Latin offer without losing their identity. The Armenians felt strong enough in their culture and faith to parlay with all the dominant powers, until finally they had little left to bargain with, and had to accept whatever terms were offered them for survival as wards of the Catholic or Protestant West.

The Melkites of the Middle Ages were tempted to acquiesce to Latin tutelage when the hope of Byzantine resurgance vanished once and for all. Their leverage to bargain with the Franks was less than the Maronites, for the Melkites were less warlike, tainted by Byzantine sympathies and by collusion with the Arabs. But the Melkites had just sufficient self-respect, and a measure of identification with East Rome, to find the Frankish terms distasteful.

In a phrase, there was not enough esteem among the various parties in the Latin Kingdom of Jerusalem to encourage any single party to make or accept an offer of partnership. As best they could, the Melkites tried to retain their despised autonomous existence as a protected nation, forlorn witnesses to a faith rendered obsolete by Islam.

In this fragmented condition, the Christian dhimmis inevitably lost the power to maintain cultural and even religious

apartness from the Muslim Arab world. Today, those who have not adopted the faith of the Arabs have become the champions of their language and culture.

The Crusades' policies towards the Melkites contributed to this trend. Their tolerance for Melkite apartness and autonomy did nothing to break the Muslim dhimmi pattern, which was thus reinforced. No links were established between the Melkites and any other Christian group outside or inside the Holy Land. Such contacts might have given them options to arabization. And yet, nothing Western Christianity could have done, in the 12th century or later, would have done more than delay the inexorable pervasiveness of Arab and Islamic culture in the Middle East.

During the entire period of Frankish presence in the Holy Land (1099-1291), the Melkites at least survived intact, better than the orthodox communities in south Italy, Sicily, or Crete. The Crusaders allowed this less from broadmindedness than from an inability to do otherwise, in so short a time.

1. Novellas of the Emperor Justinian I (527-565), No. 52, 104, & 130; as in (ed) G. E. Heimbach Authenticum Novellorum Constitutionum Iustiniani, (Leipzig 1846-52) 2 vols., pp. 497-502, 817-822, 1041-43.

Pandecta of the Emperor Justinian, Liber XXVIII, Titulus I; 1:xiii derived from the Codex de Haeretici et Manichaei; as in (ed) R. J. Pothier Pandectae Iustinianiae (Paris, 1818-1820) vol. II, p. 600

Nomocanon of Patriarch Photius of Constantinople (+ 886) Titulus XII, esp. keph. 2 & 13; as in (ed) C. Iustellus, (tr) H. Agylaeus Nomocanon Photii Patriarchae Constantinopolitani (Paris, Pacard 1615).

Pandecta of Nikon of Black Mountain (+ ca. 1091) chapters 13, 25, 26, 43; as in (tr) C. deClercq Les Textes Juridiques dans les Pandectes de Nicon de la Montaigne Noire (Venice 1942)

Decretals of Pope Gregory IX (1227-1241), Lib. V, Tit. 7; as in (ed) A. L. Richter Corpus Iuris Canonici, vol. II Decretales Gregorii Papae IX, (Leipzig, 1839).

Franz Schmalzgrüber (1663-1735) Ius Ecclesiasticum Universum (Rome 1720) 6 vols. [reprint (Rome 1844) 12 vols.] On heretics and civil rights, see esp. vol. II, Pars III, Tit. 20 § I, 46 [= vol. 4, p. 82]; vol. IV, Pars II, Tit. 6 § VI, 132 [= vol. 8, p. 502]; vol. V:1, Pars I, Tit. VI [= vol. 10, p. 244-254]; vol. V:1, Pars I, Tit. VII [= vol. 10, p. 315-328].

François L. Maupied Iuris Canonici Universi Compendium (Paris, 1863) Pars VI, livre 14, cap. 2, § III:3 [= vol. 2, cols. 962-3].

A legal appreciation of the Donatist experience in the early church, and other historical developments in the development of early Christian Roman law, see Jean Gaudemet L'Église dans l'empire Romain (Paris, Sirey, 1958) esp. the section "Le lutte contre l'hérésie" pp. 598-626. That Donatists and Catholics were equally subjects of the Christian Emperor is but one of many facets drawn by Peter Brown in his essay "Religious Dissent in the Later Roman Empire; the Case of North Africa" in Religion and Society in the Age of St. Augustine (New York, 1972) p. 237 ff.

For the career of heresy in the civil world of Byzantium, see Jean Gouillard "L'hérésie dans l'empire byzantin..." (Travaux & Memoirs 1, 1965) esp. pp. 300-308.

On the medieval papal vision which included not only Christians, but Jews and non-baptised into its legal system, with no room for heretics, see e.g., Gabriel LeBras Instititions ecclésiastiques de la chrétienté medievale (Paris, Bloud & Gay 1959, 1964) esp. p. 318.

2. Of course, it had become a financial burden, not an honor, to belong to the urban curiales, so that Jews and heretics, were not anxious to shoulder such public duties, but were constrained to do so by the Roman government; A. H. M. Jones The Later Roman Empire (Oxford, 1964), pp. 947-8, 954.

3. Peter Brown, op. cit. pp. 52-53, 79, 92-93, with some very original ideas about the birth of intolerance in the West.

4. As the East Roman domain shrivelled after 1071, its society did become more homogeneous, and an Hellenic nationalism increased rapidly after 1204. Thus, we are not surprised that toleration of diversity became less evident among the Greeks too, as among the Latins.
A. Vacalopoulos Origins of the Greek Nation, 1204-1461 (New Brunswick, Rutgers, 1970) pp. 95-102; and
John L. Boojmara "Athanasios of Constantinople" (+ 1309), in (Church History, 48, 1979) 27-48, but esp. p. 47.

5. The philosophical basis of the lack of toleration, or need for conformity, prevailing in medieval Western Europe, is superbly explained by Henry Dumery in his essay "La Tentation de faire du bien", appearing in a book of the same title (Paris, du Seuil, 1956) esp. pp. 38-43.

6. For Frankish Constantinople, see the relevent articles by Peter Topping in the collected Studies on Latin Greece, AD 1205-1715 (London, Variorum 1977) and those of Robert Lee Wolff in Studies in the Latin Empire of Constantinople (London, Variorum 1976), and the famous studies of William Miller, reprinted: Essays on the Latin Orient (1921; reprint/Amsterdam, Hakkert, 1964) and The Latins in the Levant (1908; reprint/ Cambridge and New York 1964). See now the citation from Hill History of Cyprus, given in note 11 (below).

7. Cl. Cahen La Syrie du Nord (1940) 612, 655; Prawer Estates, Communities, and the Constitution of the Latin Kingdom (Jerusalem, 1966) 29-30.

8. See Chapter 10, note 24, and its antecedent, p.209, Chapter 8. and the letter of Pope Honorius III to the Latin Abp. of Nicosia, in AD 1222, in LaMonte "Register" (1930), No. 18, which is similar to Potthast No. 6748 and Tăutu, III, No. 85.

9. G. F. Hill A History of Cyprus, vol. III, pp. 1046, 1048, and J. Gill "Tribulations" (1977) p. 79.

10. Hill, II, p. 2; J. Richard "Le peuplement latin et syrien en Chypre" (Byz. Forsch. 7, 1979) 169.

11. "Yet it must be remembered that between the French ruling class and the natives [of Cyprus], there never came about any such general fusion as the Normans effected in England and Sicily. For a man like Philip de Novare, representative of the chivalry of the realm, the Cypriotes seem hardly to exist. The Normans, on the other hand, and the peoples whom they conquered,

had all come within the sphere of Latin civilization and the Roman Church, and knew no such causes of religious animosity as made an impassable gulf between the French rulers of Cyprus and their Greek subjects." G. F. Hill, A History of Cyprus II, 6.

12. J. Riley-Smith "The Survival in Latin Palestine of Muslim Administration" in The Eastern Mediterranean Lands (Warminster, 1977) p. 10; and Joshua Prawer "Crusader Cities" in The Medieval City, (New Haven, 1977) pp. 193-5.

13. A. N. Poliak "L'Arabisation de l'Orient semitique" (1938) pp. 58-59 notes that the fact that the native Christians had kept their isolation from the Franks, won for them better consideration from the victorious Muslims when the Franks were ruthlessly evicted from the Near East.

14. To paraphrase Professor Prawer, from his Latin Kingdom of Jerusalem (1972) pp. 219-220 -- Oriental Christians and non-Christians were equal before the law and enjoyed internal autonomy. But this egalitarian trend in policy towards all oriental sects, even Jews and Muslims, did not extend to the ecclesiastical sphere, where the Roman Church desired special consideration for Christians, especially uniates. The former was established by laymen who had to contend with realities, the latter was more influenced by the Church, where theology, as well as material interests and the policies of the Holy See, were decisive.

The further implications of that are, that states often prefer a pluralistic legal system and the Church a unified society. Is this so? Heterogenous states and empires like the Crusader principalities, the Ottoman, Russian and Austro-Hungarian empires chose to recognize personal status laws and identity and allowed a network of personal and religious communal boundaries to overlay a single territorial civil administrative system.

The Christian Churches in these states -- Roman or Greek -- usually preferred territorial integrity of ecclesiastical boundaries, so that state and church jurisdictions coincided. In this "integralist" approach, all the faithful in a given ecclesiastical district (territorially defined) are subject to one hierarch, regardless of cultural, racial, or linguistic differences. The Orthodox Patriarch of Constantinople espoused this integralist approach in the Ottoman domain, as did the Patriarchs of Moscow and of Rome in the Russian and Austro-Hungarian domains respectively.

The other approach is "phyletism". As an example, the Bulgarian Patriarch (in communion with Constantinople) desired absolute jurisdiction over all Bulgarian orthodox wherever they lived. If the Melkite and Serbian primates had insisted on this too, Constantinople's jurisdiction would have been reduced to racial Greeks only. The Ecumenical Patriarchate won its case, and as did Rome in the West, various ethnic sub-communities were accomodated by providing them with pastors and bishops of their

own race, but who remained suffragans of the local ordinary, not of some distant national primate.

The point is that in political conditions such as the Latin Kingdom of Jerusalem, the dominant Christian Church (here, Roman Catholic) tried to resist compromising her parochial ecclesiology (territorial integrity) in the face of the State's toleration of civil phyletism (personality of laws). In the end, the Franks found it possible simply to allow both approaches to exist side-by-side.

15. Hajjar, for example, speaks of the Jacobite Patriarch Michael's "politique d'accommodation opportuniste", Les Chrétiens Uniates, p. 161-162.

16. Qur'an, Sura III, 112 implies that Jews and Christians remain under a condition of shame (ذِلَّة), even though they pay the jizya of protection, because they refused to accept the Prophet Muhammed. More, that paying the jizya is itself a sign of shame. Some commentators, however, suggest that this applies only to Jews, and not to Christians. See

Abū Ja'far Muḥammad al-Ṭabarī Jāmi' al-Bayān Tā'wīl ay' l-Qur'ān (Cairo, 1373φ) vol. iii, pp. 48-50 & vol. v, pp. 103-108.

Abū'l-Faḍl ibn al-Ḥasan al-Ṭabarsī Majma' al-Bayān li-'Ulūm al-Qur'ān (Cairo, 1378φ) vol. ii, pp. 439-442.

'Isma'īl ibn Kathīr Tafsīr al-Qur'ān al-'Aẓīm (Beirut 1388φ) vol. i, pp. 396-7.

Maḥmūd ibn 'Umar al-Zamakhsharī Kashāf Ḥaqā'iq al-Tanzīl (Cairo, 1385φ) vol. i, p. 455.

'Abdullah ibn Aḥmad ibn Maḥmūd al-Nasafī, "Abū'l-Barakāt", Tafsīr (Cairo, 1387φ) vol. i, p. 172.

'Abū 'Abdullah Muḥammad ibn Aḥmad al-'Anṣārī al-Qurṭubī al-Jāmi' li-'Aḥkām al-Qur'ān (Cairo, 1387φ), vol. iv, pp. 174-5, and vol. i, p. 430.

17. Grousset, vol. I, pp. 286-288; Jacques de Vitry, Ep. II, (ed) Huygens, pp. 84-85.

The Frankish and Gothic barbarians despised equally the soft Romans whom they conquered, as later they did the Melkites. But at least the barbarians admired Roman law and institutions, Stouff "Etude" (1894) pp. 285-286, whilst the Crusaders adopted nothing, consciously, from the Melkites.

APPENDICES

Appendix One follows Chapter Four, page 91.

A P P E N D I X T W O

Hierarchies of the Medieval Oriental Churches

A. Greek Melkite Hierarchy of Syria
B. Greek Melkite Hierarchy of Palestine
C. Jacobite Hierarchy of Syria and Palestine
D. Armenian Hierarchy of Cilicia, Syria, and Palestine
E. Nestorian Hierarchy of Syria and Palestine
F. Coptic Bishops in Jerusalem
G. Georgian Bishops in Jerusalem

Sources

HIERARCHIES OF THE MEDIEVAL MIDDLE EAST 9th-13th Centuries

A. GREEK-MELKITE HIERARCHY of SYRIA

Major Sources: "Notitia Antiochiae ac Ierosolymae" in Tobler & Molinier Itinera Hierosolymitana, vol.I:C(Geneva 1880) pp.339-343; Karalevsky 261-4, 227-235; Gelzer 247-253; George of Cyprus 41-56; Honigmann (1925)

SELEUCIA, Eparch of Isauria

Julian	CSEB §1546-48,2024
John, 9th cent.	
Nicetas, 10-11th cent.	
George, 11th cent.	

TARSUS, Eparch of Cilicia *

Theodore ?, 7th cent.?	CSEB §1537
Methodios 9-10th cent.	SEB §276
Cosmas 10-11th cent.	CSEB §1540
anon. 10-11th cent.	CSEB §1539
Theophilos ca 1070	CSEB §1541; Vita George §51,p.116
Abramios mid-11th cent.	CSEB §1556

ADANA

Samuel ca 1060s	Nikon Ep.§36,p.591

POMPEÏOUPOLIS

John 8-9th cent.	CSEB §1555
Dionysios 1280s, titular of Antioch ca 1287-1316	Kallistos 1197; Pachymères CSHB 123 B; Papadopoulos

SEBASTEA

Theophylactos ca 1000, transferred to Ῥωτίας? More likely, transferred from the Metr. of Sebastea in Anatolia to the Metr. of Rhōsia, both in the Patriarchal province of Constantinople	Kallistos 1196

KORYKOS

John ca 1100	CSEB §1542

ANAZARBE

Luke ca 1025-1045, retired to a monastery on Black Mountain	Nikon Taktikon in Nasrallah (1969)
anon. 1088, at consecration of Patr. John Oxite of Antioch, held in Constantinople	Pap/Ant 897

MOPSUESTIA

anon. 1088, as above	Pap/Ant 897
Dionysios 1320s , Patr. of Antioch ca 1325	Kallistos 1197

EPIPHANIA/Hama

Ignatius 13th cent. Metr. of Epiphania and Irenoupolis (maybe 12th cent.)	HB,II §99, 108

HIERAPOLIS/Mabbug, Eparch of Euphratasius

Basilios ca 850, see Emesa	
Nico, transferred from Laodicea ca 950, unless Hierapolis of Seleucia and the Phrygian Laodicea are meant, both under control of Constantinople	Ius Can.905; a later version has Nico transferred from Nicaea, Kallistos 1196.
Nikon, eparch and mūtran, 13-14th cent.	GCAL, II 89

EDESSA/Urfa, Eparch of Osroenes *

John 720-723	Thomson 253
Theodore 836-860	Beck 558-9, 583
anon 944, a resident bishop with four suffragans	Dobschütz 388-389
Paul 1071, based on faulty reading in LeQuien text in Scylitzes CSHB fol.843 (= pp.701-702).	OC,II 966-7; correct
anon. 1097 "Legatos scilicet ad eum [Baldwinum] miserat Edessae curator, episcopum cum duodecim primoribus civitatis"	OC, II 967
Celsus, no date	OC, II 968
Nicetas Prophetes ca 1080	SEB §317; CSEB §1543
(Abd al-Masih ca 1115)	See Text, Chpt.6,n.17
No Greek Melkite bishop mentioned in accounts of the sieges of 1144-1148 (Laurent, Rücker, Segal).	

SELEUCIA or Coastal Pieria, in eparchy of Antioch

Agapius, transferred to Jerusalem in 978 (other sources say from Aleppo q.v.)	Gelzer p.250,n.3; Ius Can. 905-908; Kallistos 1196; Analekta, I 244
Nicolas, no date, "qui Latinae ecclesiae doctrinam aut mores carpserunt, Nicolaum Seleuciae commemorat"	OC, II 780

ALEPPO/Boërrhe

Agapius, transferred to Jerusalem in 978 (or from Seleucia, q.v.)	Dölger §759; Grumel(1934) 134-135
anon. 1124, fled to Antioch when Muslims confiscated his cathedral	Savauget 127; Chron. ad 1234 (Fiey) 69-70

LAODICEA/Latakia (coastal)

anon. 1088, present in Constantinople at the consecration of John Oxite	Pap/Ant 897
Theodore ca 890, transferred from the Nicaean Macra; or if the Macra of Cyzicus, then the Phrygian Laodicea is probably meant.	Ius Can. 905
Nico, ca 940, t ansferred to Hierapolis, q.v.	
Symeon, transferred fromNeopatras	
Joseph 9-10th cent.	Laurent Bulles §641
Theodore 10-11th cent.	CSEB §1550,1551
Elias ? 10-11th cent.	1552, 1553
Joseph ? 12th cent.	
Basil, 1147, 1157 (or the Phrygian Laodicea)	Laurent Bulles §491 and same sources as for George of Apamea (below)

APAMEA

George 1147, 1157, present at the depositions of Patriarchs Kosmas and Soterichos in Constantinople	Chalandon p.638,n.7 & p.641 n.3; Choniates Thesaurus in MPG t.140,col.196; Sakkelion 327-328

LARISSA

John ca 920, transferred to Synada. Perhaps though the Larissa in the Prov. of Constantinople is meant. See Ius Can. 812 and Chalandon p.642,n.2 & pp.644,648 for other identifications of Larissa.	Ius Can.905; Kallistos 1196

BALANEA/Banias (coastal)

[No references clearly refer to this port south of Antioch, but probably apply to the port of Caesarea of Palestine, q.v.]

SELEUKOBELA/al-Bara

anon 1081	See Text, Chpt.4,n.36; Ousama, I 24; Qalanisi anno 474, p.9; Kamal al-Din, II 76; MS, XV vi(= p.178)

EMESA, Eparch of Phoenikia*

Basilios ca 850	Beck 558-9, 583
John 10-11th cent.	CSEB §2023
Agathon ca 1100-1125	GCAL, II 71
Ignatius 13th cent. or before	HB, II § 99

DAMASCUS, Eparch of Syria

St Sergius martyr (Feast day, 11 Nov.) ca1025 The same Bishop Sergius who visited Rome in 1033 or who died in Rome in 981 ?	Kohler; OC, II 837-8; Hajjar 118
anon. pre-1100,who built Church of St Paul	Fretellus PPTS p.24
Ioachim 12-13th cent.	HB, II §108
Michael 13th cent.	GCAL, II 71

SAIDANAYA (NW of Damascus)

John Khattar 1207	Zayat 152-3
Peter 1264	

HELIOPOLIS/Ba'albek

Anastatius 10-11th cent. (or maybe the Phrygian Hierapolis is meant)	CSEB §1554

QARA

Athanasius 1136	Dussaud 282
Joseph	
Sergius	
Simeon	
Michael 1177	Husmann §6, p.295
Leontios	IGLS §2205
Simon	Wright, I,198-199
Luke	
Jacob	
Stephen	
Christopher	
Michael	
Eutychios ? 1259	

TYRE, Eparch of Phoenikeia Paralias *	
Thomas 869, at VIII Ecumenical Council in Constantinople	OC, II 810
Basil, late 10th cent.	CSEB §1532
Daniel 11th cent.	CSEB §1533
John Codonatus, transferred to Jerusalem around 1100. See Ius Can. 908 for another John Codonatus of Antioch.	See Text, Chpt.5, Topic 3;
Sabas ca 1115, transferred to Jerusalem: "Alexio Comneno Imp. Sabas eunuchus episcopus Tyro Patriarcha factus est Hierusolymitae", but Sabas more likely came from maritime Caesarea, q.v.	as above; OC,II 810 versus Ius Can.908 and Grumel Reg. §1004
Photios, 13th cent.	OC, II 810;
Cyril ca 1287, transferred to Antioch	Kallistos 1197; Papadopoulos 127
Sophronios ca 1340, transferred to Antioch	Kallistos 1197; Grumel(1962)
ORTHOSIAS/Tortosa	
anon. 12th cent.	Richard Tripoli p.61
TRIPOLI	
anon. 12th cent.	ibid.
Euthymios 1258 , transferred to Antioch	Rey 148
Arsenios 1283, transferred to Antioch	Kallistos 1197
SIDON	
Paul the Monk of Antioch, fl.1150-80,or 1240s (also see vandenBrincken, p.86);author	Khoury; GCAL,II 72-78; Isl/Chr 232-233
anon 1217	Vitry Ep.§2, p.92
PANEAS/Caesarea Philippi [No clear references to this site in southern Lebanon at the Jordan source near Dan, but probably apply to maritime Caesarea of Palestine, q.v.]	See Text, Chpt. 6, note 4
PTOLEMAÏS/Akka	
John 11th cent.	CSEB §1534
anon 12-13th cent.	Richard p.127,n.2
anon 1217 (assuming that "Syrian" means Melkite, as in Vitry HO, chpt. 74 (= Bongars p.1090)).	Vitry Ep.§2, p.85
BOSTRA, Eparch of Arabia	
Michael 1369	Koikylidos § 46

---

* Tituläre wird man wohl in den Provinzen eingesetzt haben, welche, wie Tarsos, Edessa, Amida seit dem 10. Jahrhundert zeitweise von der Reichsgewalt wieder erobert worden waren; auch die Suffragane von Tyros, Emesa oder Theodosiupolis mögen zum Teil wirklich bestanded haben. Die grosse Masse wird aber in der Hauptsache aus leeren Prätensionen bestehen.
Gelzer p.69

B. GREEK-MELKITE HIERARCHY of PALESTINE

CAESAREA

Anastasius d. ca 1095, author of a treatise on fasting (MPG t.127,col.523 ff). Grumel (1933) consideres A. to have been bishop of Caesarea Philippi/Banyas.	Krumbacher §65:2,p.156
Sabas ca 1115, transferred to Jerusalem (or from Tyre, q.v.)	Jenkins/Mango 231; Grumel Reg. §1004; Ius Can.908; Analekta, I 244
Elias 1281	HB, II §144
Athanasius ca 1303, transferred to Jerusalem	Kallistos 1197
Gabriel Broulas ca 1313; involved with Athanasius in Jerusalem	Themelis (1935) p.4

SEBASTEIA/Samaria

Basil ca 808	Casis Dei
Theodore ca 1085	Analekta, I 244

NEAPOLIS/Sichem

anon ca 808	Casis Dei

JOPPA/Jaffa

Athanasius 1287	Richard Cyprus p.74,n.1

of the JORDAN [at the Prodromos monastery ?]

Soterichos 1080s	CSEB §1572

ELEUTHEROPOLIS/Bet Givrin, between Hebron and Askalon

Meletius, bishop of Gaza, q.v. 1173	

GAZA

Samonas, martyred ca 1056; author of "Dialogue with Muslims"(MPG t.120,col.820ff)	Krumbacher §20,p.81; Themelis (1935) p.3
Sulaiman ibn Hasan 1080s(and not 13th cent. as in GCAL, II 84-5 or Koikylidos §101:32) On the confused connection with Paul of Sidon, see Khoury.	Nasrallah (1978)
Meletius 1173, with additional title of Eleutherapolis. Same of Abbot Meletius of Mar Saba 1164 ? Photocopy of text with Meletius' signature is in Delaville leRoulx "Trois chartes" (AOL 1.1881)414-5	RRH §502; Pap/Hier 383,399; Mayer 406-07
Matus 1344 [see Elias of Bethlehem]	

ASKELON

anon 939, fled to Ramleh	Yahya PO 21; OC,III 602; Riant (1893) 504
John and Gerasimos 1090, priests	HB, II 536; Pap/Hier 368
Antonius 1099	Themelis (1935)p.3

SKYTHOPOLIS/Beisan

Christopher 10-11th cent.	Rowe 53-4; CSEB §1570
anon 1020 ?	Yahya CSCO p.231
Germanos 1344 [see Bethlehem]	

TIBERIAS

Theodore 808	Casis Dei
Nice(-tas/-phoras) ca 1025	CSEB §1572
anon ca 1150, 1153	Leontius 385; HB,III 207

Mt. TABOR

Theophanes 808	Casis Dei
John 12th cent. ?	CSEB §1573

NAZARETH

BETHLEHEM — Not Greek eparchies until post-Crusader times

Elias 1344 (and not 1144 as in OC, III 602). See also Riant (1889)11, Themelis (1935) p.4 and Dowling 176. This correction also effects Matus of Gaza (OC, III 619) and Germanos of Skythopolis (OC,III 694) whose dates are thus 1344 and not 1144.	Riant (1893); Analekta,I 245 and II 255

KRAK of Moab

John 9th cent.	Vita Stephen col.362
12th cent. et seq.	See Text, Chpt.6,note 11

PHARAN/Mt Sinai [Bishops of Pharan were also abbots of the Sinai monastery later known as St Catherine's]

Jovius 1032, martyr (Feast day,26 July)	OC, III 754-5; Acta SS Iulii 26
John of Athens ca 1091, martyred in Egypt	Cheikho; GCAL,II 71
Zacharias ca 1103/1114	Cheikho for all the rest
George ca 1133/1143	
Gabriel ca 1146/1156	
John ca 1164	
Simon ca 1203, visited Crete and Venice	
Euthymios ca 1223	
Macarios II, ca 1224	
Germanos ca 1228	
Theodosios ca 1239	
Macarios III, ca 1248	
Simon II, ca 1258	

etc.

C. JACOBITE HIERARCHY of SYRIA and PALESTINE

Major Sources: Chabot (1900) 605-636; Honigmann 112-173; Lüders, map; Vööbus chpt. 86

MARDIN

John post-1090	
John ca 1125-1165, mentioned in 1149 ?	
Basil bar Abbas, killed in Edessa in 1144	Fiey (1976)
Athanasius 1177-84,transferred to Jerusalem	Rücker 130
Maudiana 1182	Chron. ad 1234, p.244-245
John, elected in 1192, but turned Chalcedonian	
Aaron bar Mardani,elected Maphrian in 1232	OC, II 1459-61
John bar Mardani 1232-1263	

MAIPHERQAT

Basil, 11th c.	OC, II 1450
John, post-1090	
Athanasius II, 1140-1169	
Ignatius 1169-1182	
Ignatius 1182-	
Jacob, d. 1231	

AMIDA/Diarbakir [Patriarchal residence 1040s-1070s]

Cyrinus, turned Muslim in 1075	OC, II 1416
Basil 1130	BH § 89
Ignatius, post-1138; same as Theodore, nephew of Patr. Athanasius ?	
Dionysius bar Salibi 1167-; transferred from Mar'ash. His writings are partly collected in CSCO/Scr.Syri/Ser.ii, t.93	
Abraham 1174, 1179; joined Bar-Wahbun faction	
John 1191	
Dionysius 1196	
Menas 1199	
John 1253	

MÉLITÈNE

John Sa'id bar Sabouni, d.1096; killed by Prince Gabriel	Grousset, I 50-51
Dionysios 1102	
John III, 1115-	
Ignatius IV, 1139-1169?	
Dionysios ca 1169-	
John, d.1193	
Ignatius 1196	
David Tapshish; elected Maphrian in 1215, and Patriarch (as Ignatius II) in 1222	Kawerau
Dionysios 1230-1246, from Aleppo	
Aaron Angūr , elected Patriarch (as Dionysios VII) in 1252	OC, II 1455
Simeon Gregory, d.1266; brother of Patriarch Ignatius III	
Philoxenus Nimrod 1273-1283, elected Patriarch	

LAQABIN

Some bishops from 1038 to 1117

MAR'ASH/Germanaica

Qustantin 969	Hongimann 55
Timothy post-1090	
Basil Philoxenus post-1138	
Dionysios bar Salibi 1154-1167, to Amida	
Basil 1196	

ANAZARBA

Athanasius Zahai 1135-	Kawerau

TARSUS

Timothy post-1090	OC, II 1467-68
anon 1139-1141	
John 1168	
anon 1264	

ADANA

John post-1130	

KAISHUM

Basil bar Shumana 1130-1143, to Edessa	Rücker 130
Gregory 1173	Rücker 133-4; Honigmann 64
John 1174	

SAMOSATA

Thomas d.1032	
John post-1038	
Athanasius, elected Patriarch 1075 (as John XI Abdūn)	
Timothy I post-1090	
Timothy II ca 1143	
John post-1166	
John 1196	

EDESSA/Urfa

Athanasios Joshua 1040-1075	Dobschütz
Athanasios bar Sauma 1075-1095/1100	Rücker
Dionysios Basil Abu-Ghalib bar Sabuni 1095/1100-1129; brother of bishop John Sa'id of Melitene	Segal 241; Wright Hist. Syr. Lit.243-44; Duval (3rd ed.) p.387,n.6
Ignatius bar Gadina ca 1090-1125, to Jerusalem	Grousset, II 163
Athanasios Basil 1130-1136 ?	
Basil bar Shummana 1143-1169, from Kaishum	Chron.ad 1234, § 411
Athanasios Denha 1171-1192	
Basil Phares 1192-1202	
Theodore Sūkai 1203-1207	
John ca 1223	

SARUG

John post-1090	
anon. -1150	

HARRAN

Peter ca 1004	
Ignatius post-1090	
John 1125	OC, II 1506
Timothy post-1138	
Ignatius post-1166	
Timothy 1196	

GIHON

Abu Ghalib d. 1178/79	Segal 241

MABBUG

Philoxenus post-1090	MS,XVI,v (= vol.3,p.238)
John Bar Andreas 1129-1148	
Ignatius	
Dionysios ca 1155	
Philoxenus post-1166	

ALEPPO	
Ignatius post-1138; administered last Rites to Count Joscelyn in Aleppo prison	Savauget; deVries(1951)40
Basil post-1166	
Dionysius 1178-	
Dionysius ca 1220-1230, to Melitene	BH §94 (= Chron.Eccl.II)
Jeremiah d. ca 1246	
Basil Saliba 1246-1253, elected Maphrian as Ignatius IV	Kawerau
Abu'l-Farāj Gregory "Bar-Hebraeus" 1253-1264, elected Maphrian as Gregory II	Prolific historian
KALLINIKOS	
John post-1090	
John Denha 1139-	
John post-1166	
Basil 1186	
John 1196	
APAMEA	
Sargis 969	Honigmann 55
HOMS/Emesa	
Bishops from 793 to 1063, then intermittent	
Dionysios 1177-	
John 1194-	
BA'ALBEK	
Bishops from 800 to 1027	
ḤALBŪN (between Ba'albek and Damascus)	
Jacob 1007	Wright, I 265
DAMASCUS	
Theophilus 1007	Wright, I 265, 268
John post-1090	
Dionysios post-1130	
John post-1166, from Jerusalem	
John ca 1208-1220	
TRIPOLI	
Joshua 1253	OC, II 1527-8; Honigmann 69; Richard Tripoli 61,67; BH,I 681,708
PTOLEMAÏS/Akko	
anon, 1216-17	Vitry Ep.§ 2,p.83
"episcopus Syrianorum" 1229	HDF,III 140
Athanasius Joshua Lacabena 1246-ca 1250	BH §94 (= Chron.Eccl.II,669,681); Honigmann cap.4; BO,II "Dissertatio" p.60-61
TIBERIAS	
Bishops from 830 to 1038	
Thomas 1007	Wright,I 265,268; Honigmann,cap.4

JERUSALEM

Thomas 969	
Thomas pre-1095	Honigmann 55
Samuel "episcopus Syrorum" ca 1095-1125	Schaff. 337-8
Cyril ca 1095-ca 1110	Martin
Ignatius I, ca 1110-1125	
David ?	
Ignatius II, 1125-1138, from Edessa	OC, II 1443; BH §89
Ignatius III Romanus, 1138-ca 1183, a monk from Melitene	MS,XVI ix (= vol.3,p.252)
John pre-1160-1168, to Damascus	Cerulli, I,ii
Athanasius 1185-1192, from Mardin; resided in Antioch after 1187; brother of Patr. Michael	Honigmann 66
Ignatius IV Sahda 1193, 1196, monk from Edessa	Wright, I 286; Chron. ad 1234(Chabot)p.150

D. ARMENIAN HIERARCHY of CILICIA, SYRIA, and PALESTINE

Major Sources: Sanjian p.11; Ter Mikelian pp.104-105 -- for 1179 dates; Dulaurier pp.53-58; Langlois pp.66-70,134-139 -- for 1198,1210-1215 dates.

SELEUCIA
- anon 1179
- Thoros 1198

TARSUS
- anon 1179
- Narses of Lampron d.1198; famed theologian and polemic author
- Stephen 1198-
- Peter 1210
- Paul [Booz] 1215; the Latin bishop instead ? — Fedalto, 218

LAMPRON
- Vartan 1198

SIS
- John 1198

ANAZARBE
- anon 1179
- Constantine 1198

MAMISTRA/Mopsuestia
- anon 1179
- David 1198
- Lohn 1215; the Latin bishop instead ? — Fedalto, 147

MÉLITÈNE
- anon 1179

MAR'ASH
- Gregory, d.1100 — Matthew RHC:Armen.I,51-2

EDESSA/ Urfa

Metropolitans from ca 590 on — Dobschütz 376-78
until 1144-45 when the city fell to — Matthew (Dulaurier)§ 199
Zenghi, who captured the Armenian Metropolitan Athanasios and sent him into slavery in Aleppo. — Rücker 130,134; Segal,239
During the 1070s, Prince Philaretos (Armenian Catholic) kept the Armenian Katholikos out of Edessa, and may have kept the bishop out too.
After 1085, the Katholikos Basil resided in Edessa, probably to the exclusion of the Armenian bishop. — Laurent 402,n.1

ANTIOCH

Cyprian d.1100 — Matthew RHC;Armen.I,51-2
anon 1179
Joseph 1198 — Guiragus of Kangzag and Sempad, in RHC:Armen.I,pp. 423, 112 respectively.

LATAKIA/Laodicea

anon 1179

APAMEA/Hama

anon 1179

JERUSALEM

Simeon 1090-1109 (
Moses 1109-1133 (
Essai 1133-1152 (Basmadjian
Sahak 1152-1180 (
Abraham 1180-1191
Minas 1191-1205
Abraham IV 1205-
Arakel 1218-1230
Hovhannes II 1230-1238
Karapet 1238-1254
Hakob 1254-1281
Basil ca 1295-1300

The burial slab of Abraham II (d. 1191/92) lies in the wall facing St James Cathedral in Jerusalem (Hotzelt 72; K. Hintlian Armenians inthe Holy Land (1976) 51).

Basil (ca 1295-1300),not on Basmadjian's list, is known from a bulla (SOL, 85-86). His successor Sergius/Sarkis (ca 1300-1313) assumed the title of Patriarch in 1311 (deVries (1951) 49).
Also see J. Prawer "The Armenians in Jerusalem under the Crusaders"(1976)

E. NESTORIAN HIERARCHY of SYRIA and PALESTINE

Sources: Dauvillier 273-275; Young 190-193

MOSUL [Metropolitanate around 825]	OC, II 1219-1220; Wiltsch §443(- II,145)
Machicha 1087	
Elias II, 1111	
John II, 1134	
John III, 1139	
Titus 1179	
Joseph 1222	
ARBELA [the old Metropolitanate, often united to Mosul]	
anon 1090	OC,II 1232; Wiltsch
anon 1176	§444 (- II,145-6)
EDESSA/Urfa	
After 900, often served just by an archpriest	Hage 81-2,nn.233,257; Segal 207
DAMASCUS [Metropolitanate around 790]	
Elias 893- , from Jerusalem	Assemani (1775)108-9
Yeshu'ab ca 990-1010	BO,II 443; OC,II 1290
anon 1012	Elias of Nisibis 35
Joannes (or Marcus) 1075	OC, II 1290
anon 1090	Wiltsch § 444 (- II,146)
TRIPOLI	
Some bishops present during the 12th cent.	Richard Tripoli 86
ALEPPO	
Ibn Ṭūbah ca 1065	Mari I (p.125)
MOPSUESTIA	Young
MALATIYA Only titular after the 10th cent.	Young
TARSUS	Young
JERUSALEM	
anon 835	
Elias to Damascus in 893	Atiya 266; OC,II 1290; Stephen
Ananjeshu' ca 1065	Mari, I (p.125)
Elias II ca 1180, transferred to Nisibis by Katholikos Elias III	
"J" ca 1250, in letter of Katholikos Sabrisho' to Pope Innocent IV	OC, II 1299
EGYPT	
Intermittent during 8th-11th centuries	Meinardus
Yuhannah al-Ḥadīthī ca 1065	Mari, ut supra
CYPRUS	
Intermittent from 14th century on	Magoulias 95

F. COPTIC BISHOPS in JERUSALEM

The Coptic Patriarch in Cairo appointed a bishop for Jerusalem in 1239. The Jacobite Patriarch considered this to be an infringement upon his territorial perrogatives, and retaliated by appointing a bishop for Ethiopia, in Coptic domain.
See Kawerau, p.76

Jacques Massou says this was in the year 1238, and that the Coptic bishops of Egypt remonstrated with their Patriarch, Cyril III ibn Laqlaq, for doing this on his own initiative; pp.91-2, 102.

Otto Meinardus provides a list of these Coptic bishops who functioned in the Holy City from 1236 onwards --

Basil I	1236-1260
Butrus I	1271-1306
Mikhail I	1310-1324
Yuannes	1326-1340
Butrus II	1341-1362

Thereafter the See was vacant until 1575, after which the succession has been fairly regular to the present time.
See Meinardus Copts in Jerusalem (1960)

G. GEORGIAN BISHOPS in JERUSALEM

See the articles by Iliffe, Janin, and Peradze, listed in the Bibliography to this Appendix. Other details are in Hotzelt "Kirchliche Organisation" (1940) p.72.

Few names or precise dates are known for any Georgian bishops, save a Bishop Samuel in the 9th century. It would seem that a bishop for the Georgians was sent only from time to time, to function as a chorepiskopos for the Georgian Chalcedonians under the local Melkite Patriarch.

SOURCES USED FOR THE LIST

Analekta	Analekta Hierosolymitikès Stachylogías (ed) A. Papadopoulos-Kerameos (St Petersburg 1891-98) 5 vols
Assemani(1775)	Guiseppe Assemani De Catholicis seu Patriarchis Chaldaeorum et Nestorianorum Commentarius (Rome 1775)
Atiya	Aziz S. Atiya A History of Eastern Christianity (London/Notre Dame[Ind.] 1968)
Basmadjian	K J Basmadjiam "Chronologie de l'histoire d'Arménie" (Rev. Or. Chr. 19. 1914) p.369
Beck	Hans-Georg Beck Kirche und theologische Literatur im byzantinischen Reich (Munich 1959)
BH	Gregory Abu'l-Faraj Bar-Hebraeus Chronicum Ecclesiasticum (ed/tr) Abbeloos & Lamy (Paris/Louvain 1874-1877) v.I Chron.Syriacum, v.II Primates Orient.
BO	Bibliotheca Orientalis Clementino-Vaticana (ed) G. Assemani (Rome 1719-1728) 3 vols.
Casis Dei	Commemoratorium de Casis Dei vel Monasteriis in Titus Tobler Descriptiones Terrae Sanctae (Leipzig 1874); Eng. tr. by Col. Wilson in PPTS (London 1913)
Cerulli	E. Cerulli Etiopi in Palestina (Rome 1943)vol. I
Chabot (1900)	J.-B. Chabot "Les évêques jacobites du 8 au 13 siècle" (part 2) (Rev. Or. Chr.5.1900) 605-636
Chalandon	Ferdinand Chalandon Les Comnène (Paris 1900-12)2vols.
Cheikho	Louis Cheikho "Les archevêques de Sinai" (Mélanges de Univ. de St Joseph 2.1907) 408-421
Chron. ad 1234(Chabot)	Anonymi Auctoris Chronicon ad AC 1234 pertinens Part Two (ed) J.-B.Chabot (Louvain 1916) [CSCO 82]
Chron. ad 1234 (Fiey)	Anonymi Auctoris Chronicon ad AC 1234 pertinens Part Two (tr) Fiey & Abouna (Louvain 1974) [CSCO 354]
CSEB	Le Corpus des Sceaux de l'Empire Byzantin (ed) V. Laurent (Paris CNRS) vol.2(1965), vol.3(1972)
Dauvillier	Jean Dauvillier "Les Provinces Chaldéennes « de l'extérieur » au moyen age" in Mélanges Ferdinand Cavallera (Toulouse 1948)esp. pp.273-275
deVries(1951)	Wilhelm deVries Der christliche Osten in Geschichte und Gegenwart (Wurzburg 1951)
Dobschütz	E. von Dobschütz "Die konfessionellen Verhältnisse in Edessa über der Araberherrschaft" (Zeit. f. wissensch.-Theologie 41.1898) esp. pp.376-391

Dölger	Regesten der Kaiserurkunden des Oströmischen Reiches (ed) F. Dölger (Munich/Berlin) v.I (1924), v.II (1925), v.III (1932)
Dowling	Canon Dowling "The Episcopal Succession in Jerusalem" (Palestine Exploration Fund 1913) 154-177
Dulaurier	Edouard Dulaurier Étude sur l'Organisation politique religieuse et administrative du Royaume de la Petite Arménie (Paris 1862)
Dussaud	René Dussaud Topographie historique de la Syrie (Paris 1927)
Duval	Ruben Duval Histoire politique, religieuse et litteraire d'Edesse (Paris 1892)
Elias of Nisibis	Chronicon (Lat.tr.)Brooks (Paris 1910) [CSCO Scr.Syri, ser.III, v.7]
Fedalto	G Fedalto La Chiesa Latina in Oriente, 2- Hierarchia latina orientis (Verona 1976)
Fiey (1976)	Jean-Maurice Fiey "Martyropolis syriaque" (Muséon 89.1976) 5-38
Fretellus	Itineraria Fretelli (tr) MacPHerson in PPTS (London 1896). Because it was collected in Leo Allatius' Symmikta, it can be found in Migne PG,t.133
GCAL	Georg Graf Geschichte der christlichen arabischen Literatur (Vatican 1944-1953) 5 vols.
Gelzer	H. Gelzer "Ungedruckte und wenig bekannte Bistümverzeichnisse der orientalischen Kirche" (BZ 1.1892) esp. pp.245-282,and (BZ 2.1893) 68-72
George of Cyprus	Georgii Cyprii Descriptio Orbis Romani (ed) H. Gelzer (Leipzig 1890) esp. pp.41-56
Grousset	René Grousset Histoire des Croisades et du Royaume Franc de Jérusalem, vol. I (Paris 1934)
Grumel Reg	Les Regestes du Actes du Patriarchat de Constantinople: I, Les ACtes des Patriarches (ed).V.Grumel (Istanbul), v.I (1932), v.II (1936), v.III (1947)
Grumel (1933)	V. Grumel "Le Jeune de l'Assomption" (EO 32.1933) pp. 162-194
Grumel (1934)	V. Grumel "Le patriarcat et les patriarches d'Antioche sous le séconde domination byzantine" (EO 33. 1934) 129-147
Grumel (1962)	V. Grumel "La Chronologie des Patriarches grecs de Jerusalem au xiii siècle" (REB 20. 1962) 197-201

Hage	Wolfgang Hage Die syrisch-jakobitische Kirche in früh-islamischer Zeit (Wiesbaden 1966)
Hajjar	Joseph Hajjar Les Chrétiens uniates du proche-orient (Paris 1962)
HB	Hierosolymitikè Bibliothèkè (ed) A Papadopoulos-Kerameos (St Petersburg 1891-1897) first 3 vols.
HDF	Historia Diplomatica Friderici Secundi (eds) Huillard-Breholles & deLuynes (Paris 1852)
Honigmann	Ernest Honigmann Le Couvent de Barsaume et la Patriarcat jacobite d'Antioche et de Syrie (Louvain 1954)[CSCO Subsidia 7; vol. 146] esp. pp.112-173
Honigmann (1925)	Ernest Honigmann "Studien zur Notitia Antiochena" BZ 25. 1925) 60-88
Hotzelt	Wilhelm Hotzelt "Kirchliche Organisation und religiöses Leben in Palastina während der Kreuzzugszeit" in Das Heilige Land in Vergangenheit und Gegenwart (Cologne 1940) esp. pp.43-106
Husmann	H. Husmann "Die syrische Handschriften des Sinaï-Klosters" (Ostk. Studien 24. 1975) 281-308
IGLS	Inscriptiones grecques et latines de la Syrie Jalabert, Moutarde, Fernand-Courby. Vol. 5 Emesene (Paris 1959)
Iliffe	J H Iliffe "Cemetaries and a Monastery at the YMCA, Jerusalem" (Quart. Dept. Antiq. Palest. 4.1935) 70-80
Isl/Chr	R. Caspar, A. Charfi, A.-T. Khoury, K. Samir "Bibliographie du dialogue islamo-chrétien" (part 2) (Islamochristiana 2.1976) 187-249
Ius Can.	Ius Canonicum Graeco-Romanum, cap.ii "De translatione episcoporum" in Migne PG, t.119
Janin	R. Janin "Les Géorgiens à Jérusalem" (EO 16. 1913) 32-38, 211-219
Jenkins/Mango	R J H Jenkins & C Mango "A synodicon of Antioch and Lacedoimonia" (Dumbarton Oaks Papers 15.1961) 225-242
Kallistos	Nicephoros Kallistos Historia Ecclesiae version in Migne PG vol.146, Book xiv, cap.39
Kamal al-Din	Kamāl al-Dīn Ibn al-'Adīm Zubdatu'l-Halab (ed) Sāmī al-Dahhan (Damascus 1951-1968)3 vol.

Karalevsky	Cyril Karalevsky Histoire des Patriarcats Melkites, 3 - Les Institutions (Rome 1911)
Karalevsky Ant.	Cyril Karalevsky "Antioche" (art) in Dict. hist. géog. eccles. vol. 3 (Paris 1924)
Kawerau	Peter Kawerau Die jakobitische Kirche im Zeitalter der syrischen Renaissance (Berlin 1960)
Khoury	Paul Khoury Paul d'Antioche, évêque melkite de Sidon (Beirut 1964)
Kohler	Charles Kohler "Index Analyticus rerum & personarum quae in Actis SS Bolland.... ad Orientem Latinum spectant" (ROL 5. 1897) 460-561
Koikylidos	Kleopas Koikylidos Katalogos Arabikōn Cheirographōn tès Hier. Bibl. (Jerusalem 1901)
Krumbacher	Karl Krumbacher Geschichte der byzantinischen Literatur (2nd ed. rev. by Ehrhard & Gelzer) (Munich 1897)
Langlois	Victor Langlois Cartulaire de la Chancellerie royale des Roupéniens (Venice 1863)
Laurent	J. Laurent "Dès Grecs aux Croises; étude sur l'histoire d'Edesse entre 1071 et 1098" (Byz. 1.1924) 367-449
Laurent Bulles	V. Laurent "Les bulles metriques dans la Sigillographie byzantine" (Hellenika 4.1931)# 1-224; ibid.(5.1932) #225-423; ibid.(6.1933) #424-562; ibid.(7.1934) #563-679
Leontius	Vita/Bios of St Leontios, Patr. of Jerusalem, by Theodosios Goudela of Constantinople. Reference to pp. in printed edition Logoi panegyrikoi (Kosmopolis/Vienna 1793)
Lüders	Anneliese Lüders Die Kreuzzüge imUrteil syrischer und armenischer Quellen (Berlin 1964) & map
Mari	Maris, Amri & Slibae de Patr. Nest. Comment. (ed) Gismondi (Rome 1899) vol. I, textus arabicus
Martin	Abbé Martin "Les premiers princes croisés et les syriens jacobites de Jérusalem" (JA viii:12.1888) 471-490
Mayer	Eberhard Mayer Bistümer,Klöster und Stifte im Königreich Jerusalem (Stuttgart 1977)
Meinardus	Otto F A Meinardus "The Nestorians in Egypt and Jerusalem" (Oriens Christianus 51.1967)112-129
MS	Chronique de Michel le Syrien (ed/tr) J B Chabot (Paris 1899-1904) 3 vols
Matthew	Chronique de Matthieu d'Edesse (ed/tr)E.Dulaurier (Paris 1858) and in RHC: Scr. Armen, v.I

Nasrallah (1963)	Joseph Nasrallah "Le manuscrit No.180 de la Bibliothèque orientale de Beyrouth"(POC 13.1963) 221-233
Nasrallah (1969)	Joseph Nasrallah "Un auteur Antiochien du xi siècle; Nicon de la Montagne Noire"(POC 19.1969)150-161
Nasrallah (1974)	Joseph Nasrallah "Syriens & Suriens" (Orient. Christ. Analecta 197.1974) 487-503
Nasrallah (1978)	Joseph Nasrallah "Sulaiman al-Gazzi" (Oriens Christianus 62.1978) 144-157
Nikon	Epistles of Nikon of Black Mountain ,selection in Catalogus Codicum MSS Gr. qui in Monasterio S Catherinae in Monte Sinae servantur, vol. I (St Petersburg 1911) (ed) V N Beneševic
OC	Michel LeQuien Oriens Christianus (Paris 1740)3 vols.
Ousama	"Autobiographie d'Ousama" (tr) H.Derenbourg (ROL 2.1894) 327-549
Palaska	S. Palaska Hè Palaistinè Allote Chōre Hellènikè (Jerusalem 1950)
Pap/Ant	Abp. Chrysostomos Papadopoulos Historía tès Ekklèsías Antiocheías (Alexandria 1951)
Pap/Hier	Abp. Chrysostomos Papadopoulos Historía tès Ekklèsías Hierosolymōn (Jerusalem/Alexandria 1910)
Papadopoulos	Abp. Chrysostomos Papadopoulos "Hè Katastasis tès Orthodoxou Ekklèsías Antiocheías..." (Epeteris Hetair. Byz. Spoud. 13.1937) 123-142
Peradze	Gregory Peradze "An Account of the Georgian monks and monasteries in Palestine" (Georgica 1937)181-246
Prawer	Joshua Prawer The Latin Kingdom of Jerusalem (London 1972)
Qalanisi	Ibn al-Qalanisi Damas de 1075 à 1154 (tr) Roger de Tourneau (Damascus 1952)
Rey	Edouard Rey "Les dignitaires de laprincipauté d'Antioche" (ROL 8.1901) 116-157
Riant (1889)	le Comte Riant Études sur l'histoire de l'Église de Bethléem (Geneva 1889)
Riant (1893)	le Comte Riant "Éclaircissements sur l'Église de Bethléem-Ascalon" (ROL 1.1893)140-160, 381-412, 475-525; (ROL 2.1894) 35-72
Richard	Jean Richard Le Royaume Latin de Jérusalem (Paris 1953)

Richard Apamea	Jean Richard "Note sur l'archdiocese d'Apamée" (Syrie 25.1946/48) 103-108
Richard Cyprus	Jean Richard Chypre sous les Lusignans (Paris (Paris 1962)
Richard Tripoli	Jean Richard Le Comté de Tripoli (Paris 1945)
Rowe	Alan Rowe The Topography and History of Beth-Shan (Philadelphia 1930)
RRH	Regesta Regni Hierosolymitani (ed) R Röhricht (Innsbruck 1893, 1904)
Rücker	Anton Rücker "Aus der Geschichte der jakobitischen Kirche von Edessa in der Zeit der Kreuzfahren" Oriens Christianus III:10.1935) 124-139
Pachymeres	Chronicon of George Pachymeres (ed) I Bekker in CSHB (Bonn 1835) 2 vols and Migne PG t.143,144
Sakkelion	Ioannes Sakkelion Patmiakè Bibliothèkè (Athens 1890)
Sanjian	A. Sanjian The Armenian Communities in Syria under Ottoman Domination (Cambridge[Mass]1965)
Savauget	Jean Savauget Alep (Paris 1941)[Bibl. Archaeol. & historique, 36]
Schaff.	Anon. of Schaffhausen/Scaphusensis, in RHC: Scr. Occ.vol. 5,pp.335-339
Scylitzes	Ioannes Scylitza Curopolata Chronicon (ed) I Bekker (Bonn 1839) bound with Kedrenus, vol. 2, and in Migne PG t. 122
SEB	Sigillographie de l'Empire byzantin (ed) G. Schlumberger (Paris 1883)
Segal	J B Segan Edessa the Blessed City (Oxford 1970)
SOL	Sigillographie de l'Orient Latin (eds) G.Schlumberger, F Chalandon, A Blanchet (Paris 1943
Stephen	St H Stephen "A Nestorian Hermitage between Jericho and the Jordan" (Quart. Dept. Antiq. Palestine 4.1935) 81-86
Ter Mikelian	A. Ter Mikelian Die armenische Kirche inihren Beziehungen zur byzantinischen (Leipzig 1892)
Themelis (1921)	Abp. Timothy Themelis Les Grecs aux Lieux Saints (Jerusalem 1921)[Greek edition (Athens 1919)]
Themelis (1935)	Abp. Timothy Themelis Hagiotaphitikoi Pinakes (Jerusalem 1935)

Thomson	R W Thomson "An 8th Century Melkite colophon from Edessa" (J. Theol. Studies [n.s.] 13.1962) 249-258
Vailhé (1899)	Siméon Vailhé "Le province ecclésiastique d'Arabie" (EO 2.1899) 166-179
Vailhé (1907)	Siméon Vailhé "Une « Notitia Episcopatuum » d'Antioche du x siècle" (EO 10.1907) 90-101; "La « Notitia Episcopatuum » d'Antioche du patriarche Anastase de vi siècle" (EO 10.1907) 139-145; "Les recensions de la « Notitia episcopatuum » d'Antioche" (EO 10.1907) 363-368
vandenBrincken	Anna-Dorothee vandenBrincken Die "Nationes Christianorum Orientalium" im Verständnis der lateinischen Historiographie (Cologne 1974)
Vita George	P Peeters "Histoires monastiques géorgiennes" (Anal. Bolland. 36-7. 1917/1919) entire volume Chpt. 2 is "Vie de S Georges l'Hagiorite" 69-159
Vita Stephen	Vita of St Stephen the Sabaite, in Migne PG t. 87
Vitry HO	Jacques de Vitry, Bp. of Acre Historia Orientalis in Gesta Dei per Francos (ed) Bongars (Hanover 1611) vol. I, pp. 1047-1124. Also excerpted in (tr) Aubrey Stewart PPTS (London 1890) Chtps. 21-84, and chpt 92-99.
Vitry Ep	R B C Huygens Lettres de Jacques de Vitry (Leiden 1960)
Vööbus	Arthur Vööbus The Synodicon in the West Syriac Tradition vol. II (Louvain 1976) esp. Chpt. 86 [CSCO Scr.Syri 163]
Wiltsch	Johann Wiltsch Handbuch der kirchlichen Geographie und Statistik (Berlin 1846) vol. II
Wright	William Wright Catalogue of Syriac Manuscripts in the British Museum (London 1870)
Yahya PO	Yahya ibn Sa'id Continuator of Eutychius' Chronicle (ed/tr) J Kratchkovsky & A Vasiliev in Patrologia Orientalis (Paris) XVIII:5 (1924) and XXIII:3 (1932)
Yahya CSCO	Yahya ibn Sa'id Annales (ed) Cheikho et al. (Paris 1909) [CSCO Scr. Arabi, III:vii]
Young	W G Young Patriarch, Shah & Caliph (Rawalpindi 1974)
Zayat	Habib Zayat Documents inédits pour servir à l'histoire du Patr. Melk. d'Antioche; 3 - Histoire de Saidanaya (Harissa [Leb.] 1932)

APPENDIX THREE

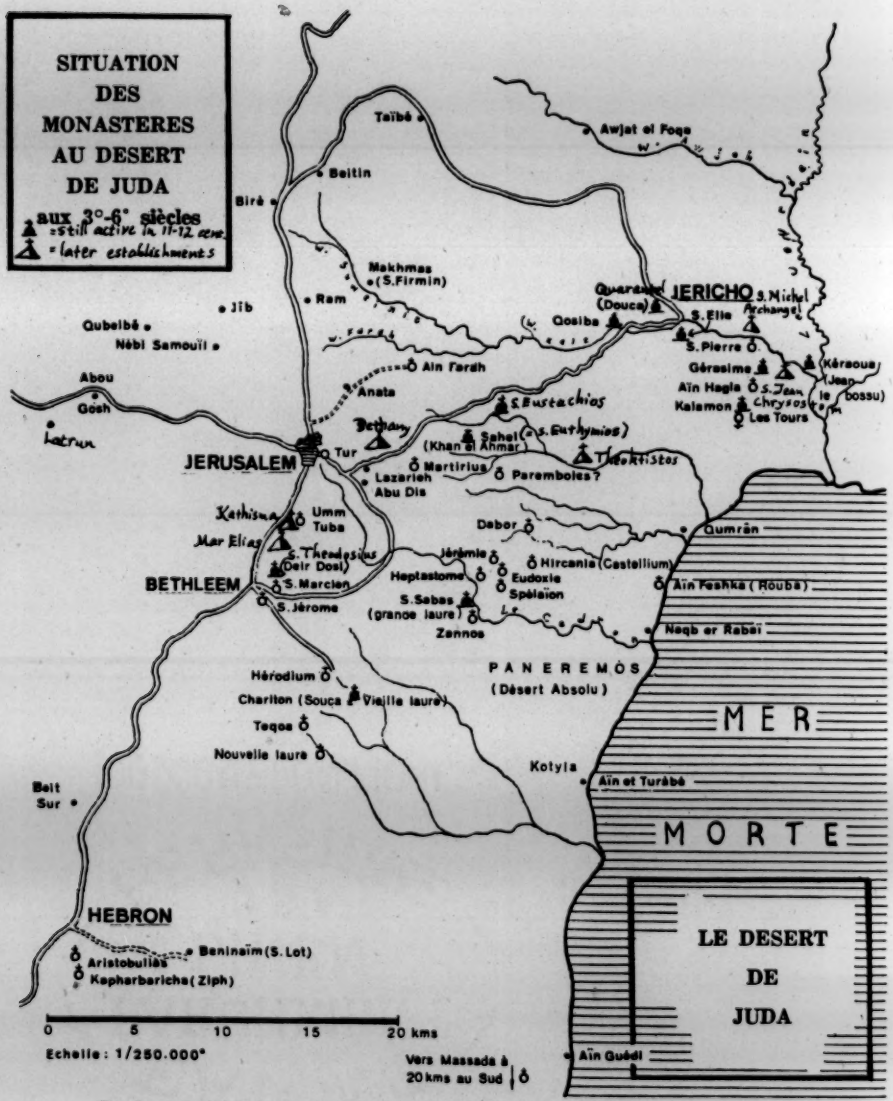
Greek Melkite Monasteries in Medieval Palestine

(see Chapter Seven)

The researches of Vailhé, supplemented by Koikylides, provide us with a basic list of Palestinian monasteries through the 6th cent--ury. We have taken these rosters and abstracted only those which are mentioned in later itineraries and documents beginning with the Itinerary of Willibald (AD 725). We have then grouped the medieval monasteries geographically rather than according to the three types discussed in Chapter Seven, Topic 2. But the geographic groups coin--cide with the three types for the most part. We have then added any monasteries which were built after the 6th century and were active in the 11th-12th centuries. The map (across) is of the area of greatest monastic concentration, the environs of Jerusalem which includes the Judean wilderness. The dark circles represent those monasteries originally founded in the 3rd-6th centuries which were active in the 12th century. We have added the others as triangles, which were founded later and also still active in the 12th century.

SOURCES : Siméon Vailhé "Répétoire alphabétique des monastères de Palestine" (ROL 4.1899) and in book form (Paris. Picard 1900); Kleopas Koikylides Peri tōn en Palaistinè Archaiōn kai Neōterōn Hellènikōn Monasteriōn (Jerusalem. Greek Convent 1906).

Other sources are: Kallistos Meliaras Hoi Hagioi Topoi en Palaistinè kai ta ep'autōn dikaia tou Hellenikou Ethnous (Jerusalem. Greek Convent 1928) I, 315-318, 332-3, 338-382 [= extracts from Nea Sion 20.1925 and 21. 1926); Gregory Peradze "An account of the Georgian monks and monasteries in Palestine" (Georgica 1937. 4-5) 181-246; Jean Mécérian Histoire et institutions de l'église arménienne (Beirut. Impr. Cath. 1965) [= Univ. de S Joseph; Recherches de l'Inst. de lettres orientales de Beyrouth, 30] esp. pp. 327-330; Joshua Prawer The Latin Kingdom of Jerusalem (London. Widenfeld & Nicholson 1972) 223-226; Pia Compagnoni Il Deserto de Guida (Jerusalem. Franciscan Press 1975); H T Norris "Mediaeval Monasteries of Eastern Palestine" (Palestine Exploration Quarterly 82. 1950) 31-39; A.-J. Festugière Les Moines d'Orient (Paris. du Cerf 1962) vol. III:1 map No.2 on p. 150 and preceeding notes for it (pp.146-148), and the notes by Rev. M. duBuit, pp.45-49.



Emplacement des monastères du désert de Juda, relevé d'après le R. P. Genier, "Vie de St Euthyme", Paris, 1909, sur carte d'Israël au 250.000 mm. par Ch. J. Ledit

JERUSALEM AREA

	Willibald (725)	Commem. de Casis Dei (808)	Bernard (870) Epiphanios (840)	Fretellus (1130) Daniel (1106)	John Würzburg (1160) Theoderic (1172)	Phokas (1186)	Vailhé	Koikylidos
1. Spoudaioi, near the Resurrection Basilica								
2. S John Baptist, next to S Mary Latin								4 (Appen.
3. Maria Theotokos or Νεα Εκκλησια Santa Maria Nova, close to the Temple Mount		X					73	76
4. S Mary the Virgin or Ἁγ. Μαριὰ τῆς Παρ--θένου, at Probation or Sheeps' Pool		X		D			75	78
5. S Mary Magdalen [Jacobite], by the north gate				F	T			
6. Metochion of Mar Saba's Lavra, or S Michael Archangel, by the Citadel of David				D		X	82	85
7. Metochion of S Catherine's of Sinai, or S Moses								
8. Convent on Mt Zion, S George's ?		X					49	51
9. other convents on Mt Zion, the Cenacle, S John the Theo--logian, S Stephen's etc.	(X)			D F	T	X	118	129
10. S Lazarus, in Bethany		X	E	D			13	14
11. Sts Peter & Paul in Bisanteo, on the Mt of Olives		X					15	16a (pp. 10-11
12. Sts Cosmas & Damian or οἱ Ἀνάργυροι [the Penniless]		X					27	27
13. Convent in the Valley of Josaphat		X	E				67	70
14. Maria Theotokos, or Viri Galilei on the Mt of Olives		X					74	77
15. Maria Theotokos, in Gethsemani		X	E		T		76	79
16. S Melania the Young						X	80	83
17. Holy Cross monastery [Georgian]				D	T	X	107	117 (147)

NOTES to Monasteries in the Jerusalem Area

1 On the existence of a Greek monastic community attached to the Holy Sepulchre during the Latin occupation, see Chapter Sever, Topic 3, for the views of Petrides, Baumstark, Couret, Mayer, and Karapiperis.

2 Kallistos Meliaras To en Hierousalèm monastèrion tou Hagiou Ioannou tou Prodromou kai Baptistou (Jerusalem. Greek Convent 1923) 29-30, and 40-52. This monastery was handed over to some Franks for a pilgrim hospice, and later became the headquarters of the Hospital Knights of St John.

4 The Russian abbot Daniel only mentions this as a site; there was no active Greek convent there during his visit, and the Latin Church of Sts Joachim and Anne was later built on this site.

5 Cerulli Etiopi in Palestina (Rome 1943) i, chpt.2, item 7 has many references to this convent from the 12th century. It was originally built in the 840s.

6 Its dedication to the Archangel Michael is attested in various MSS in HB, vol. I, codices 7 & 12 (11th cent.) and codices 6 & 4 (11th cent.). The monastic residence's activity may extend back to the 10th century, or earlier.

7 Noted by Prawer Latin Kingdom 223 and Richard Royaume Latin 127,n.1, based on an Act of Pope Honorius III (Aug. 1217) to Abbot Simeon of Sinai: "In civitate Hierusalem hospitale et obedientiam S. Moysis, domos et furnum". See RRH No.892 (p.241). There is no reason to suppose that this monastic residence was not active during the 10th-12th centuries as well.

9 The Vita of Michael Syncellos (fl. 788) mentions religious houses on Mt Zion, but does not name them. John Phokas mentions that the eastern hillside of Mt Zion contained many hermitages, quite a few of which were Jacobite and Armenian.

10 Daniel only describes a church here, not a monastery. A Latin convent for Benedictine nuns was built here in 1132.

12 The Comm. Casis Dei lists only one priest at this site.

13 A Latin Benedictine monastery was organized on this site during the reign of King Baldwin I; Délaborde Chartes de Terre Sainte (Paris 1880) and Kohler Chartes de l'Abbaye de Josaphat (Paris 1900). Also H E Mayer Bistümer, Klöster und Stifte (Stuttgart 1977) 264.

[14] The Comm. Casis Dei mentions only two clerics on this site.

[16] This is on the site of the modern Latin Carmelite convent atop the Mt. of Olives. Phokas' notice is only to an abandoned site, as the Greek monastery had been deserted long before.

[17] The same as the monastery of S Nicholas mentioned by Peradze, p. 186, 215 ? According to Djobadze, it was built by Giorgi Prohore in the 1060s for monks from Georgia [Iberia], see Materials for the Study of Georgian Monasteries (Louvain 1976) p.74, n.68, and p.78, n.86

JERICHO Area	Willibald (725)	Commem. de Casis Dei (808)	Bernard (870) Epiphanios (840)	Fretellus (1130) Daniel (1106)	John Würzburg (1160) Theoderic (1172)	Phokas (1186)	Vailhé	Koikylidos
1. S John Baptist, or Prodromos at Qaṣr al-Yahūd	X	X	E / B	D		X	61	64
2. S John Chrysostom				D		X	62	65
3. S Gerasimos		X	E	D		X	50	52
4. Kalamōn, at Qasr al-Ḥadjla		X		D		X	16	166 pp. 11-12
5. S Stephen, or Mar Elias		X		•			32	33
6. Quarantine and ʿAin Dūka, on the Mt of Temptation				F	T			
7. S Michael the Archangel				D				
8. Hagia Maria of Chōziba, in the Wadi'l-Kelt		X		D		X	24	24
9. S Eustachios	X							

NOTES to Monasteries in the Jericho Area

1 K Koikylides Ho en Iordanè Topos tès Baptizeōs tou Kyriou kai to Monastèrion tou Timiou Prodromou (Jerusalem. Greek Convent 1905) Ernoul also mentions the monastery sometime between 1190 and 1220, in (ed) Mas Latrie Chronique d'Ernoul (Paris 1871) 79, and (tr) Conder in PPTS (London 1896) part III (pp.50-64). This was one of the sites repaired by the Emperor Manuel around 1169. It was rebuilt in 1882 and is active today.

2 This site too was repaired under the largesses of the Byzantine Emperor in 1169. Our sources describe it as being only 5 stadia from Kalamōn; we don't know when it was first built, and there are no accounts of it after 1200.

3 & 4 S. Vailhé "Les Laures de S Gérasime & de Calamon" (EO 2.1898) 106-119, and K. Koikylides Hai para ton Iordanèn Laurai Kalamōnos kai Hagiou Gerasimou (Jerusalem. Greek Convent 1902) . A Bios of Nikon, abbot of S Gerasimos in the 10th century, is indicated in Beck Kirchl. und theol. Literatur (1959) 568. Peradze speaks of such a monastery, with Georgian monks, but it is likely the same as the Greek one. The convent of S Gerasimos was washed away for good, perhaps in the early 12th century, and it was Kalamōn which was repaired by the Emperor Manuel, the name of Gerasimos becoming attached to Kalamōn over time. Kalamōn was rebuilt in 1882 and is now active under the title of S Gerasimos. Phokas' notice is to the washed-away site. The No.4 site has wall paintings from the 12th century, see Norris (1950).

5 The antique site for this small religious house is unknown; the present site of Mar Elias' cave forms part of the modern monastery of Sts John and George of Khoziba, in the Wadi'l-Kelt.

6 Jacques de Vitry, ca. 1240, mentions Latin hermits living at Quarantel, Hist. Hier. cap.52, and Fretellus' notice is only to an uninhabited site. W Hotzelt points out that this was a regional office of the cathedral Chapter of the Holy Sepulcher, from which the Latin canons or their agents supervised the church's properties around Jerisho, "Kirchliche Organisation"(1940) 61. Theoderic's notice is of a Templar fort at the top of this butte, see R Röhricht "Studien zur mittelalterlichen Geographie und Topographie Syriens" (XDPV 10.1887) 201, and Otto Meinardus "Notes on the Laurae and Monasteries of the Wilderness of Judaea" part 3 (Liber Annuus 19.1969) 305-327, which shows that two sites are involved here: an 11th-12th century monastery about half-way up the hillside, and a strategic fort at the top. 'Ain Dūka is the customary name for the latter, Quarantel for the former. J. Nasrallah, in his study of Sulaiman of Gaza (fl. 1060-1080), analyses one of the Bishop's poems in which he speaks of visiting some Palestinian monasteries, including a Dūka, and a Dayr al-Dawāqès. Nasrallah identifies Dūka with Suka, the old Laura of S Chariton, and Dayr al-Dawāqès as Quarentaine. But could not Dūka refer to an establishment at the top of this ridge at the end of the Wadi Qelt, and Dayr al-Dawāqès the monastery below it ? "Sulaiman al-Gazzi, évêque melchite de Gaza" (Or. Chr.62.1978) 144-157. Peradze lists this among his Georgian houses.
One conclusion to be drawn from all this is that the Greek convent at Quarantel was recently abandoned by its residents before the Latin conquest, and that the Latin canons of the Resurrection Basilica took it over, perhaps because the monastery had some attachment to the Greek monks of the Basilica beforehand. It could also be that the site's strategic value entailed the eviction of any Greek monks living there, at Quarantel and/or at the top at 'Ain Duka, where a Templar fort was later set up. The present Greek monastery was built between 1874 and 1895, and is active today.

7 The church and monastery are located 1 verset to the east of Jericho, see Meliaras Hoi Hagioi Topoi (1928) I, 333

8 K Koikylides Ta kata ten Laurankai ton Cheimarron tou Chouziba (Jerusalem. Greek Convent 1901). An inscription of AD 1234 mentions restorations. It was rebuilt in the 1890s and is active today under the title of Sts John and George.

9 Described only as lying between Jericho and Jerusalem. Item 19 in AHS, vol. IV (1897) is titled: "Life and Deeds of our father Eustratios, abbot of the monastery τῶν Ἀμάρου". Is this related to our monastery ?

WILDERNESS of JUDEA

	Willibald (725)	Commem. de Casis Dei (808)	Bernard (870) Epiphanios (840)	Fretellus (1130) Daniel (1106)	John Würzburg (1160) Theoderic (1172)	Phokas (1186)	Vailhé	Kolkylidos
1. Mar Elias, or S Anastasius						X	5	5
2. Kathisma, or Τα Κελλία (the Cells)							20	20
3. S Chariton, or Lavra of Souka, or the Old Lavra		X	E	D F	W	X	21	21
4. Mar Saba, the Great or New Lavra	X	X	E	D		X	106	108
5. S Euthymios, at Khan al-Ahmar	X		E	D		X	42	43
6. S Theodosios the Koinobiarch, at Deir Dosi near Bethlehem		X	E	D		X	131	142
7. S Theoktistos				D			129	140
8. a monastery near Bethlehem		X	B	D				

NOTES to Monasteries in the Wilderness of Judea

[1] The place had been empty or ruined before being rebuilt by the Emperor Manuel in 1169, though Phokas intimates that the community was intact, as its leader, a Syrian, beseeched the Emperor for its reconstruction. It is an active monastery today, halfway between Jerusalem and Bethlehem, on the main road.

[2] Vailhé provides MSS references to this monastery for 1157, 1167, and 1174. The 1167 references can be found also in Benešević Catalog. Codic. MSS Graec. in Monast. St. Catherinae in Monte Sina (St Petersburg 1911) I, No. 110 (p.117); and further details in H. Husmann "Die datierten griechischen Sinai-Handschriften" (Ostkirchliche Studien 27.1978) 167

[3] The body of S Chariton had been translated into Jerusalem around the 9th century, where a Syro-Greek church of S Charitōn is mentioned during the Crusader period. If Yahya's Charitōn (خريطون) refers to this monastery, then its abbot Elias was elected Patriarch of Alexandria in AD 964, which is not unlikely; Hist. Patr., in PO xviii:5 (1924) pp.94-95 [= pp.792-3]. Ruins are extant from the 12th century, see Norris.

[4] The literature is extensive on this famous monastery. See especially John Phokylidos He Hiera Lavra Saba tou Hegiasmenou (Alexandria 1927) as the standard history. Also articles by S. Vailhé in (EO 2.1898) and (EO 3.1899) and by Otto Meinardus in (ECR 2.1969).

5 This house was also restored during the Byzantine building program on the 1160s.

6 K Koikylidos Hè katá tèn erèmon tès hagías tou Theou hèmōn Poleōs Lavra Theodosiou tou Koinobiarchou (Jerusalem. Greek Convent 1903) Since the 9th century, the site has been only intermittently occupied. The Greek Orthodox have built a chapel there, but the small monastery is not staffed. In his catalogue of Arab MSS in the Patriarchal collection, Koikylidos gives the Latin text of an Act of Pope Honorius III from AD 1216, confirming to a monastery of S Theodosius some properties in Palestine, Romania, the islands, and Europe, including Hungary : Katalogos arabikōn cheirogr. tès Hierosol. Bibl. (Jerusalem 1901) No.142. Alaksandr Popov popularized the notion that this text applied to our Palestinian S Theodosios, in Latinskaja Jerusalimskaja Patriarkhia epokhi Krestonoscev (St Petersburg 1903) I, 261-2, and by Edouard Rey in Les Colonies Francques (Paris 1883) 90. This attribution is still current, as in M Benvenisti The Crusaders in the Holy Land (Jerusalem 1970) 365-66. To the contrary, R.Röhricht was persuaded that this Papal bull concerned the Church of St Theodosius of Laberria, in Hungary, "Studien zur mittelatlerlich. Geogr. und Topogr. Syriens" (ZDPV 10.1887) 238-9. The editor of Pope Honorius III's Acts concerning the Orient, Aloysius L. Tautu, continued to press the identification with the Palestinian monastery, and explained that "Berria" was the locale on Cyprus where the Greek monks fled after 1187, Acta Honorii III (Rome 1950)[COO, III; 3], items 1 & 22. The evidence could support either interpretation -- that a Palestinian monastery would receive grants in far-away Hungary, or that a Hungarian church would acquire lands in Palestine,during the 12th-13th centuries.

7 The Russian abbot Daniel's comments are that this religious site had been wrecked by the "apistoi", = Muslims ?, probably before his time.

8 Meliaris Hoi Hagioi Topoi (1928) I, 340-1. Daniel says of this place too, that it was destroyed when he saw it. This may, in fact, be identical with the site of the Kathisma house, No.2 on this List.

SAMARIA and GALILEE

	Willibald (725)	Commem. de Casis Dei (808)	Bernard (870) Epiphanios (840)	Fretellus (1130) Daniel (1106)	John Würzburg (1160) Theoderic (1172)	Phokas (1186)	Vailhé	Kolkylidos
1. S George, in Lydda/Ramlah			B					
2. a monastery in Nablus/Sechem		X	E					
3. S John Baptist, in Sebasteia		X		D		X		
4. a monastery in Skythopolis/Beth-Shan							112	123
5. a monastery in Tiberias		X						
6. Heptapegon monastery at the Site of the miracle of the Loaves and Fishes, north shore of the Lake		X	E					
7. Sts Elias & Moses, on Mt Tabor	X	X	E B	D		X	127	138
8. a monastery at Cana	X	X	E					
9. a monastery in town, Nazareth		X						
10. Mt Precipitation, outside Nazareth		X			W			
11. S Margaret, or S Marina, of Carmel, at Haifa								

NOTES to Monasteries in the Samaria and Galilee areas

[1] See note 2, Chapter 6

[2] The Commem. de Casis Dei speaks of a bishop in Nablus; Epiphanios mentions a monastery

[3] Here also the Commem. de Casis Dei lists just a bishop, not a monastery as such. Daniel calls the new monastery a Frankish convent for women, whilst Phokas, 80 years later, says it is a Byzantine monastery: Νυν δὲ ὁ τοιοῦτος τόπος γέγονε Ῥωμαϊκὸν μοναστηριον as in Migne PG t.133, col.940, which the PPTS translator renders as "Roman Catholic", and Attalis (in Migne) as "byzantine".
Prawer and other recent Crusade historians add that the older church of S John was taken over by the Franks, so the Greeks built a new church on even higher ground. Papadopoulos HEH (1910 ed.) speaks of two monasteries in Frankish Sebasteia, both Greek, pp.384, 387.
We suggest that during the Frankish period, the Greeks had a small monastery in Sebasteia, perhaps a new one, designed to be attached to an episcopal church and residence.

4 Skythopolis was a thoroughly Muslim town by the 11th century, as all the travellers report.

5 The 9th century reference is just to a bishop, not a religious house.

7 Daniel only mentions the Latin monastery's presence, and that a [Latin] bishop had sat there a few years before his visit (1106). By Phokas' time, the Greeks had repopulated their monasteries, to the NW of the Latin site. See Chapter Seven, Topic 3 on Property, where the Greek establishments on Tabor are discussed.

8 Willibald speaks just of the church at Cana

10. Ernoul (fl. 1190-1220) mentions a Greek monastery of S Zachary on a mountain near Nazareth, which may be this one; (ed) Mas Latria Chronique d'Ernoul (Paris 1871) 66, and also in the PPTS translation. John of Würzburg speaks only of the site, not of a monastery or church.

11. The second portion of the Citez de Herusalem (ca. 1220) mentions a Greek abbey of S Margaret, 1½ leagues away from the Latin hermitage on Mt Carmel, (tr) Conder in PPTS (London 1896) 31, which place Conder says was founded in 1209. Elie Friedman agrees that this Greek establishment was built around 1200, dismissing the traditional dates around 1155, "Les Carmes et le Mont Carmel" (Carmel [France] 1978) 282, 291. See also J. Hajjar Les chretiens uniates du proche-orient (Paris 1962) 164, and Jean Richard Le Royaume Latin (Paris 1953) 126. The origins of the Carmelite Order are traditionally entwined with the localMelkite monks and hermits and hierarchy of Jerusalem and Haifa, though in the end there may be nothing to such legends. See the Vitae of St Brochard in Acta SS Sept. I, sub 2 Sept., and of St Angelus in Acta SS Mai, II, sub 5 May.
J. Baudry suggests that the monks mentioned by Phocas as living on Mt Carmel were not Latins but Greek Orthodox, "Origines orientales du Carmel ?" (Carmel 1979) 335.

JUDEA and the NEGEV	Willibald (85)	Commem. de Casis Dei (808)	Bernard (870)	Epiphanios (840)	Daniel (1106) Fretellus (1130)	John Würzburg (1160) Theoderic (1172)	Phokas (1185)	Vailhé	Koikylidos
1. Τοῦ Κελλιβάρου, at Latrun									
2. S Abraham, at Hebron									
3. a Georgian monastery at Beit-Jibrin									
4. monastery of Abbot Sheridon, between Gaza and Ascalon				(X)				114	125
5. Burning Bush, or S Moses, or S Catherina, on Mt Sinai		X			D/F	W/T			

NOTES to Monasteries in Judea and the Negev

1 Beneševic's catalogue of Sinaite MSS, op. cit. vol. I, cites a manuscript produced at a μονη τῶν κελλιβαρίων ἅτοι του λάτρου in AD 1236; No.274 on p.136.
The present Latrun is in the foothills west of Jerusalem.

2 During the Frankish investigations into the Tombs of the Patriarchs, in 1119, there is no mention of Greek Melkite religious or clergy.

3 Listed in Peradze. Also recall that the Melkite bishop of Gaza in the 1170s beore the title of Beit-Jibrin/Eleutheropolis.

4 The citations in Vailhé and Koikylidos are based on 9th century hagiographies.

5 See the section on Sinai, in Appendix Five on Petra.

APPENDIX FOUR

List of Ru'asā' in Frankish Syria and Palestine

(see Chapter Eight)

u = urban r = rural

1. GEORGE, Raïcus, in Jerusalem area (u)
   1122 HB, III, No.43. There he is called kritès and archon of Jerusalem, and is treated in Topic 3 of Chpt. 8. I have tentatively identified him with the George noted for 1124 and 1125, below.
   1124 Kohler, No.10 = RRH, No. 104a
   1125 Rozière, No. 103 = RRH, No. 110

2. GEORGE the Syrian; a property-owner in Tripoli. Not called raïs.
   pre-1139 RRH, No. 191; Richard Tripoli, 87

3. THEODORE ibn Safi (= Sophanios), raïs of Antioch (u)
   ca.1140 Usāma ibn Munqidh (tr) Derenbourg (ROL 1.1894) 465 Also (tr) Hitti (NY 1929) p.169. See Riley-Smith "Lesser Officials" p.5

4. A., raisius of Tripoli (u)
   1145 leRoulx Cart. Gen., No. 160 = RRH, No. 236

5. MELENGANO, regulus Syrus in Jerusalem-Bethlehem area
   1150 Marsy, Nos.7-8 = RRH, No. 258. In No.8 he's simply called Mozzageth surianus, without a title

6. HASSAN, riserius in Tripoli area
   1154 RRH, No. 270; Richard Tripoli 87

7. SYMON Judex, Jerusalem area. "Judex" may be a family name, not a title
   1159 RRH, No. 338
   1175 leRoulx "Archives" Nos. 33-34 = RRH, Nos. 534, 535
   1178 RRH, No. 556
   1182 Kohler, No. 45 = RRH, No. 623a

8. MORAGE, Raiz, in Jerusalem area
   1150 Rozière, No. 116 = RRH, No. 265

9. ESSANDER, raiz in Tripoli area
   1163 leRoulx Cart. Gen. (ii) App. No. xiii = RRH, No. 389

10. GEORG, raiz of Antioch. His brother is Theodore the notary (Rozière, No. 88-90); on this connection, see Riley-Smith "Lesser Officials" 5. (u)
    pre-1166 leRoulx "Archives" No. 24 = Cart. Gen. No.367,522 = RRH, No. 424
    1189 RRN, No. 649 as "Domini Georgius et Theodore", no titles

11. ABDELMASIH, raïs of al-Marqab/Margot, and owner of nearby villages (r)
    pre-1174 leRoulx "Archives" No.32 = Cart.Gen.No.457,819 = RRH,No.521

12. GEORGE, raïs of Margot [castle near Valanea] (r)
son of Abdelmasih; see Richard Tripoli, 87
1174 as above

13-15. SIMON, GEORGE, MAFA, reguli in Tripoli area
1174 Cart. Gen. No. 467 = RRH, No. 519

16. SADé (= Sa'id), rays des Sarrazins de Tyre (u)
His brother was named William.
pre-1181 leRoulx "Inventaire", No.140 = RRH, No. 606a

17. GUIDO, raicus of Nablus (u); his brother is Amicus, his son is Henry; see H E Mayer Bistümer, Klöster, und Stifte (Stuttgart 1977) pp. 340-353; also Livre de Jean d'Ibelin in RHC: Lois,I,424, which mentions the service of one chevalier due from his son Henry
1174 Kohler, No.39 = RRH, No. 513a
1178 leRoulx "Archives" No.44 = Cart.Gen.No.530-2 = RRH,No.565,567
1185 Kohler,No.46 = RRH, No.640b;and Delaborde,No.43 = RRH, No.643
1186 Kohler,No.48 = RRH, No.657b

18. JOHN, raicus in Tripoli area. His son is Bolos
pre-1192 leRoulx "Inventaire" No.180;3 = Cart.Gen.No.932 = RRH, No. 706a

19. GEORGE the Syrian, scribe in Jaffa
1183 leRoulx "Archives", No.61 = RRH, No. 627

20. GUACE de Ranis (= raïs ?), Tripoli
1236 Strehlke, No. 82

21. SITELMELECH, daughter of Abdelmesie;* property-owner in Tyre, no titles. The children are Mansur and Sulieman (i.e., children of Abdelmesie)
1239 Strehlke, No.85 = RRH, No. 1086

22-25. SADé, HAINDOULE, MEGED, SEREG, rayses in various villages near Tyre (r)
1243 RRH, No. 1114

26. anonymous of Kefar-Kenna, near Sidon (r)
1254 leRoulx "Inventaire" No.285 = RRH, No. 1220

27. JOHN SEMES (Shemesh), Bais (= raicus or baillif ?) of Saphoria (u)
His son is Buteros the scribe
1255 Cart.Gen. No.2748 = "Archives" No.84 = RRH, No.1239

28-37. MUSA (Messor) raïs of Sisora; ABBED (Abet) raïs of Arbela; ISA (Asyar) raïs of Lubya; ABBED, raïs of Qashta, Kaft, Sabt,Sarona, and Damin; ABBED (Abat) and GEMEREDNO, raïses of Judail; ABBED raïs of Erber and Demie; MESSOR, BRAHYM, and BENNOR, raïses at Sisara, etc. [Sisara is between Tabor and Tiberias, in Galilee] (r)
1255 Cart. Gen. No.2747 = RRH, No.1237; see Prawer Histoire vol. I, p.520, and note 26.

* Röhricht RRH has Sitelmelech as son of Abdelmesie; sitt refers to a lady or mistress, bint is daughter; sibt refers to grandson, but is not commonly used in the nasab.

To indicate the diversity of ranks and backgrounds of minority office-holders, I add two brief notices of city administrators, with the rank of 'amil, who were native Christians serving under Muslim rulers.

MANSUR الملطاى , a Jacobite, 'amil of Jerusalem ca. 1093. Severus b. al-Muqaffa' Hist. Patr. (ed/tr) Abdalmasih and Burmester (Cairo 1943) II:3, p.399/٤٥٩ ,where it reads- إستخدموا [ه] في عمالة البلد [القدس]

Anonymous Christian 'amil of Laodicea under a Muslim governor, ca.1196. Ibn al-'Adim Tārikh Halab sub anno 592 = (tr) Blocher Histoire d'Alep (Paris 1900) 123, and (ed) Sami al-Dahhan (Damascus 1968) III, 136.

SOURCES

Delaborde	H.-F. Delaborde Chartes de Terre Sainte provenant de l'Abbaye de Notre Dame de Josaphat (Paris. Thorin. 1880) [= Bibl. des Écoles françaises d'Athènes et de Rome, 19]
leRoulx "Archives"	Delaville le Roulx Les Archives, le Bibliothèque et le Trésor de l'Ordre de St Jean de Jérusalem (Paris. Thorin 1883) [= Bibl. des Écoles françaises d'Athènes et de Rome, 32]
leRoulx Cart. Gen.	Delaville le Roulx Cartulaire Général de l'Ordre des Hospitaliers de St Jean de Jérusalem (Paris Leroux), I (1894), II (1897) etc.
leRoulx "Inventaire"	Delaville le Roulx Mélanges sur l'Ordre de St Jean de Jérusalem (Paris 1910) Chpt.xiv - "Inventaire de pièces de Terre Sainte" 26-106 [= extrait du ROL 3. 1895/96]
Kohler	Charles Kohler Chartes de l'Abbaye de Notre Dame de la Vallée de Josaphat (Paris. Leroux 1900) [= extrait du ROL 7.1899]
Marsy	Comte de Marsy "Fragment d'un cartulaire de l'ordre de St Lazare en Terre Sainte" (AOL 2.1884) 121-157
RRH	Reinhold Röhricht Regesta Regni Hierosolymitani (Innsbruck 1893); Additamentum (1904)
Roziere	Eugène de Rozière Cartulaire de l'Église du Saint Sépulchre de Jérusalem (Paris. Impr. National 1849) and also in Migne, PL t.155
Strehlke	Ernest Strehlke Tabulae Ordinis Theutonici Berlin 1896) and reprint (Toronto 1975)

* * * * *

Some literature on the rais in Crusader territory [asterisk indicates that names and dates of many ru'asa' are given]:

Beugnot, in RHC: Lois, I, 26ff; vol.II, pp.xxiv, 377ff
Ed. Rey Les Colonies Francques (1883) 78, 241-246
J. LaMonte Feudal Monarchy (1932) 108
* J. Richard Comté de Tripoli (1945) 87
* J. Richard Royaume Latin (1953) 128-130
Cl. Cahen "Mouvements populaires" (Rec. Soc. Jean Bodin 1955) 273-285
R. Filhol "Gouvernants et gouvernés" (Rec. Soc. Jean Bodin 1966)101-125
J. Prawer Histoire de Royaume Latin (1969) I, 519-522
* J. Riley-Smith "Lesser Officials in Latin Syria" (Eng.Hist.Rev.1972)1-26
J. Prawer Latin Kingdom (1972) 152-3
J. Riley-Smith Feudal Nobility (1973) 88-91
J. Prawer "Crusader Cities" in The Medieval City (1977) 195-6
J.Riley-Smith "Survival of Muslim Administration" in The Eastern Mediterranean Lands (1977) 9-22
* H. E. Mayer "Latins, Muslims, and Greeks" (History 1978) 185

APPENDIX FIVE

Petra and Kerak

1. The Residence of the Latin Archbishop[1]

(see Chapter Six, Topic One)

Properly speaking, only Karak (Kerak/Krak) of Shaubak is "Montreal", as it was first built by King Baldwin I in AD 1115. Kerak of Moab was built in 1142 by Pagan du Puy.[2] King Baldwin made a number of forays into this region in 1100 and last in 1115, reaching Wadi Musa, the site of an old Greek monastic settlement and of an antique diocese, nearby Petra of the Nabataeans.[3]

The Crusader domain of Oultre Jourdain was assembled in earnest between 1118 and 1142 by Roman du Puy (c.1118-c.1128) and Pagan (Payen) du Puy (c.1132-c.1148), and it extended from Eilat in the south, northwards past Wadi Musa, Tafila, Kerak de Montreal de Shaubak, Kerak de Moab, and up along the eastern shore of the Dead Sea to the River Zarqa (Yaboq). Neither Gerash,[4] nor Amman (ancient Philadelphia) were ever effectively in Frankish control.

After reverting to the Crown, the region was enfoeffed again in 1161 to Philippe de Milly. After his death, Philippe's daughter and heiress married Renaud de Châtillon who became the last lord of Oultre-Jourdain in 1177.

These Frankish lords resided mainly at Shaubek until Kerak of Moab was built, after which the latter was their usual headquarters. The Latin archbishop (created in 1167) also resided at Kerak of Moab, for he had no flock outside the

Frankish occupation forces.[5] The seal of Moab's last lord, Renaud (c.1177-1187)[6] reads on the front "dominus Montisregal" and on the back "Petracensis Civitas" with a depiction of a large fortress. The seal of the only Latin Archbishop of Petra, Guerricus (1167-1183),[7] reads on the front "Petras Metropolis Arabie" and on the back, depicts a castle quite the same as Renaud's. Prof. Schlumberger surmised that what the seal depicts is Kerak of Moab, but which we have seen is also entitled Montreal, Petra Deserti, and Petra Arabia. Many authors obviously did not use the names consistently, nor did they even intend to identify a particular site. Fra Jacopo de Verona, for example, around AD 1335, calls Kerak de Montreal Petra Deserti,[8] but this could mean either Shaubak or Moab.

Petra of the Desert most usually means the region around the castle and village of modern Kerak, in Moab, not far from the ancient site called Rabbaṭ(h)-Moab or Maab, for so the modern village is also called. In classical times, the main site was Areopolis, which lies about 4 hours walking north of the Crusader castle.[9] The use of Rabbaṭ(h) (ربّط = region or village) will be important in determining why the Latin Archbishop styled himself Metropolitan of Arabia. Petra Arabiae usually refers to the site in Edom, the Petra of the Nabataeans.[10]

In view of these various notives, we suggest that the location of the Latin Archbiocese is to be placed at the site of the Crusader castle of Kerak of Moab, overlooking the southernmost portion of the Dead Sea, parallel to Arad (or Beersheva) on the opposite shore. This is now it appears on

the Prawer-Benvenisti map in the Atlas of Israel.[11] The map labelled "Patriarchat Antiocheia und Jerusalem" in the Lexicon für Theologie und Kirche[12] makes Petra, near Wadi Musa, the site of the Frankish prelate, as it was formerly the site of the antique Greek eparchy, an identification which is also made by Hotzelt.[13] The patterns which we've presented here should make such an identification unlikely.

2. The Antique and Latin Ecclesiastical Provinces of Palestine and Arabia (see Chapter Thirteen, Topic Two)

Of what province was the Latin Archbishop of Kerak/Petra the Metropolitan ? H. E. Mayer assumes it was Palestine III,[14] but while this is in accord with the territorial boundaries of the Roman and Greek Notitia, it does not take into account the terminology we've seen in the Assises:

> l'arcevesque dou Rabbat (Rabbast, Barach) que les Grex apelent Filadelfe, qui au tems le rei Amauri fu translaté au Crac, et est apellé l'arcevesque de la Pierre dou Desert.

and the similar account in the anonymous Pilgrim's Journey:[15]

> Est castrum quod Crathum dicunt ubi civitas olim Petras nomine, nunc vero metropolis, sed loci antistes nomen antiquum retinet et archiepiscopus Petracensis appellatur.

A number of Frankish texts provide us with the correct answer. Apart from what we've called the Latin Notitia (see Chapter Thirteen, note 9), there are also ecclesiastical notices in William of Tyre, Jacques de Vitry, and Jacopo de Verona[16] which provide the following comparison:

Byzantine eparchies (George of Cyprus, etc.)		Latin Crusader Province	
Palestine A'	Caesarea	Palestine I	Jerusalem
Palestine B'	Skythopolis	Palestine II	Caesarea
Palestine Γ'	Petra	Palestine III	Nazareth
Arabia A'	Bostra	Arabia I	Bostra
Arabia B'		Arabia II	Petra Deserti (or Rabbat)
Arabia Γ'		Arabia III	Sobel/Shaubek

Arabia had been a single province until divided by Diocletian into a northern (Arabia A' at Bostra) and southern (Arabia B' at Petra) sectors. This fell into disuse and when it was revived around 357-8, the southern portion was later incorporated into Palestine as Palestine III, with Petra still as its metropolitan. Petra and Bostra were the only ecclesiastical metropolitans the region ever had. LeQuien presents a slightly different arrangement of the Crusader province; he creates a province for the Patriarch with Hebron, Lydda, and Bethlehem, entitled "Jerusalem", and thus leaving the three Palestines intact: Caesarea (I), Nazareth (II), and Petra (III).

To conform to the Latin tradition whereby a partiarchal or primal See had also to have its own province apart from its suffragans (Chpt. 13, p.), Latin Jerusalem headed up a distinct Palestinian province, and Petra was put back into the Arabian province.

The only problem remaining concerns the identification of Philadelphia as the metropolitan of Arabia II. The confusion goes back to the Biblical figure of Uriah, husband of Bethsheba, whom David indirectly ordered killed at the seige of Rabbah (II Samuel, chpt. 11).

While the ancient site of Rabbaṭ-Maab was identified as the Biblical Rabbah,[17] Philadelphia or Rabbaṭ-ʿAmmān was also considered to be the site, or at least contained Uriah's tomb.[18] Thus, despite the fact that Philadelphia had been a suffragan of Bostra,[19] the mistaken identification involving Uriah led some Frankish authors to dub it the Metropolitan of an ecclesiastical province, or to identify Rabbaṭ-Maab as ancient Philadelphia.

In either case, Rabbah/Philadelphia was thought to be a major See whose prerogatives were suitably transferred to nearby Kerak of Moab or Petra Deserti, and it was Arabia II of which this elusive Philadelphia was made the metropolitan, not Bostra's Arabia I.

3. Sinai, suffragan of Petra (see Chapter Six, note 11)

The notice in the Assises is echoed in Marinus Sanudo:[20]

> Quartus (archep. sub Patr. Hier.) Petracensis, unum habens suffraganeum episcopum Graecum in Monte Sinai in ecclesia pretiosae virginis Katherinae monachis praesidentum.

During the first centuries of the Arab occupation of the Middle East, the bishop of Pharan moved to St Catherine's monastery (though not called after that saint until much later), probably by the end of the 7th century or later. The office of abbot of the Sinai monastery and of the eparch of Pharan later merged.[21] Thereafter Sinai became an archdiocese or an autonomous metropolitan, dependent directly upon the Patriarchs of Jerusalem, or sometimes Alexandria, until the Crusades.

The Franks continued to recognize the titular of Sinai as a functioning resident bishop, though one document admits him to be an archbishop,[22] an unusual rank if he were really to be a suffragan of the Latin archbishop of Kerak/Petra. We take this as an example of how the Franks accepted the ranks of the native hierarchies, while yet treating them as chorepiskipoi of the Latin ordinary.

As the region assigned the Metropolitan of Petra (Palestine III or Arabia II) had previously (1100-1167) formed part of the province of the Patriarch of Jerusalem, we might presume that the Greek monastery had also been subject to Jerusalem before this time, for Sinai could be considered as part of the ecclesiastical province of Arabia. But there is no indication that this was ever the case, although all of our documentation about Sinai during the Crusader period is derived from the epoch after Latin Petra was erected. Terzi di Lauria made the unlikely suggestion that Sinai had been a suffragan of Byzantine Skythopolis, and so fell to Nazareth when the latter inherited the former's metropolitan status (ca. AD 1120).[23]

The fact that the Latin Notitia show Sinai only as a suffragan to Petra lends strength to Mayer's suggestion that this ecclesiastical arrangement was not the work of the local Latin Church, but of royal policies. Specifically, the inclusion of Greek Sinai under Petra formed a part of King Aimery's grandiose schemes to extend Crusader control over portions of Egypt.[24]

Finally, we have already drawn attention to Hotzelt's ecclesiastical map of Crusader Palestine. On this map, above Wadi Musa/Petra there is a dot indicating Faran, the Greek Archbishop of Sinai. This is actually many hundreds of miles away from true Faran, which is two days walk west from Mt Sinai, below Mt Serbāl, in the Wadi Feiran. We presume this dot is an error, for the dot rests exactly on the location of Phaino/Fe'nan, an antique site, though never the seat of a bishop.

[1] In addition to the sources cited below, the following works bear on this subject:
al-Muqadassi (d. AD 986) Absān al-taqasīm (ed) deGoeje (Leiden 1906) pp.١٥٤-١٥٥, ١٧٨ ; and (ed/tr) LeStrange (London 1896) pp. 11, 63.
al-Zahiri (d. AD 1468) Al-Zubda Kachf al-Mamalik, (tr) M.Venture de Paradis and (ed) Jean Gaulmier (Beirut 1950) pp.24-37,61-76.
Michel LeQuien Oriens Christianus (Paris 1740) III, 663-8, 721-6.
Rey/duCange Familles d'Outre-Mer (Paris 1869) p.755
S. Vailhé "La Province ecclésiastique d'Arabie" (EO 2. 1898)116-179
A. Musil Arabia Petraea (Vienna 1906) I - Moab, pp. 51-62
R. Hartmann "Die Herrschaft von al-Karak" (Der Islam 2.1911) 129-142
K. Baedeker Palestine & Syria (Leipzig 1912) 151-4, 180-185
M. Gaudefroy-Demombynes La Syrie à l'époque des Mamelouks d'après les auteurs arabes (Paris. Geuthner 1923) 125-134
F. -M. Abel Géographie de la Palestine (Paris 1938) II, 177-8, 418
N. Edelby "La Transjordanie chrétienne dès origines aux Croisades" (POC 6. 1956) 97-117
A H M Jones The Later Roman Empire (Oxford. Blackwell / Norman. Univ. of Oklahoma 1964) II, 876-878, 1460-1461

[2] In November-December of 1100, King Baldwin I of Jerusalem marched down to

> vallem in qua sanctus Moyses virga silicem bis per ousset unde fons vivus emanavit....Invenimus insuper in montis apice monasterium S.Aaron ubi Moyses et ipse cum Deo loqui soliti erant

per Foucher de Chartres (RHC: Occ. III, 381). Albert d'Aix mentions a "villa opulentissima" in this region, which Baldwin visited as well (VII: xlii); WT mentions it also (X: viii). All these citations are collected in H. Hagenmeyer's "Chronologie du Royaume de Jérusalem" (ROL 8.1900) 378-9.
See also E. Rey "Les Seigneurs de Mont-réal et de la Terre d'Outre le Jourdain" in (ROL 4.1896) 19-24

[3] Ibn Shaddad (d. AD 1285) al-Aʿlāq al-Khaṭīra fi dhikr ʾUmarāʾ al-Sham wa'l-Jazīrah, vol. III (ed) Sami Dahhan (Damascus 1963) 69-77

[4] Gerash had had a byzantino-arab population into the 10th century, but earthquakes and other events drastically reduced its population by the year 900. King Baldwin II destroyed its walls in 1122, and it was practically deserted thereafter. J W Crowfoot Churches at Jerash (London 1931)

[5] Abel Geog. Palestine II 418; Grousset Hist. des Croisades II 160

[6] G. Schlumberger "Trois sceaux et deux monnaies de l'époque des croisades" (AOL 1.1881) 663-8; Gaudefroy-Demombynes, however, thinks that the appearance of the name "Petra" with that of "Montisregal" most likely refers to Shaubek, not Kerak, op.cit. note 1 of p.125.

7 SOL, 100-101; also OC, III, 1305-06

8 "Liber Peregrinationis" (ROL 3. 1895) 225

9 Guy LeStrange Palestine under the Moslems (London 1890) 494-5, 479, 548-9; and his edition of al-Muqadassi in PPTS, p.63.
Maab (ماب) seems also to be confused occasionally with Maan (مان), of which there are two; one just east of Nabatean Petra/Wadi Musa, and the other (Ma'in معين) near Madaba.

10 OC, III, 721-6; Max vanBerchem "Notes sur les Croisades" (JA IX:19. 1902) 385-456, and especially this --

> Le nom arabe de Karak ne la [Petra] désigne en aucun cas, car il s'applique toujours à la ville et à la fortresse de Kerak de Moab, que les Francs appelaient le Krak ou Petra deserti (p. 422)

And P C Hammond The Crusader Fortress on al-Habis at Petra (Univ. of Utah 1970)[Middle East Center, research monograph, 2] esp. pp. 10-11, 32-33. Also Baedeker (1912) 180-185

11 Atlas of Israel (Jerusalem. Survey of Israel. Ministry of Labour 1956-64) Map IX/13

12 (Freiburg. Herder 1957) vol. I, facing cols. 639-640

13 "Kirchliche Organisation" (1940) p.53 = "Kirchengeschichte Palästinas" (1940) p.10

14 H E Mayer Bistümer, Klöster und Stifte (Stuttgart 1977) 198-99

15 Assises de Jerusalem cap.CCLXI (ca. AD1240) in RHC: Lois, I.415-6 and the Anon. Itin. Peregr. (fl. AD 1190) = Das Itinerarium Peregrinorum (ed) H E Mayer (Stuttgart 1962) cap. 15 = p.273

16 WT, Lib. XIII(ca. 1180); Jacques de Vitry Hist. Orient. cap.56 (ca. 1240); Jacopo de Verona Liber Pereg. (ca. 1335) in (ROL 3.1895) pp. 289-290.
For George of Cyprus, see Gelzer in (BZ 1.1892) 251 ff.

17 Mario Sanudo Gesta Dei per Francos:

Est autem Petra iuxta urbem antiquissimam quae dicitur Rabath, ante quam civitatem Urias occubuit procurante David

in OC, III, 1305-06.

Also see WT, XV:xxi.

18 per al-Muqaddasi, (ed/tr) LeStrange, in PPTS (London 1896) 56; and Hartmann (1911) p.130, n.2

19 Gelzer, in (BZ 1.1892) 248, 252

20 Louis Cheikho "Les archévêques de Sinai" in (Mélanges de l'Univer--sité de St. Joseph [Beirut] 2. 1907) 408-421. Also OC, III, 1350-56

21 Gelzer (BZ 1.1892) 253; Beck Kirchl. und Theol. Literatur, p.199; and OC, III, 747-758 (but esp. cols. 749-50)

22 Ch. Kohler "Documents inédits concernant l'orient latin" (ROL 7.1899) 1-37

23 Terzi di Lauria Siria Sacra (Rome 1695) 286-7 [sometimes printed as pp. 296-97]

24 Mayer Bistümer (1977) pp. 197-199. The first Frankish-Byzantine attack upon Egypt was in 1167.

BIBLIOGRAPHY

All works cited in the text are included, except :
works cited in the Introduction and Terminology
(unless also utilized in the text)
works cited in the Appendices (unless also
utilized in the text)
works referred to in the text, but not utilized in
the research for this dissertation.

Because all the text notes provide only brief citations to sources, this Bibliography is strictly alphabetical, not broken down into analytical categories. Document (primary) sources are distinguished solely by the pro-vision of the date of composition or dates of the author. Titles in Greek, Arabic, and Hebrew have been trans-literated and, in most cases, translated.

Abel, Félix Marie Jérusalem; recherches de topographie, d'archéologie, et d'histoire, Vol. 2, Jérusalem nouvelle (Paris. Gabalda), esp. fasc. 1, 2(1922) and 4(1926)

_____ Histoire de la Palestine depuis la conquête d'Alexandre jusqu'à l'invasion arabe, Vol. 2 (Paris. Gabalda 1952)

Abrahamse, Dorothy de F. "Pre-Iconoclastic Monasteries in Three Regions of Asia Minor" Paper read at the Fourth Annual Byzantine Studies Conference, 3-5 November 1978, at the Univ. of Michigan, Ann Arbor.

Abramowski, Rudolf Dionysius von Tellmahre, jakobitischer Patriarch, zur Geschichte der Kirche unter dem Islam (Leipzig. Brockhaus 1940) [= Abhandlungen für die Kunde des Morgenlandes xxv:2, of the Deutschen morgenländischen Gesellschaft]

Acta of various popes, see CCO

Acta et diplomata graeca, see Miklosich and Müller

Acta et Scripta, see C. Will

Ahmed, Manzooruddin "Key Political Concepts in the Qur'an" (IS 10.1971)78-102

Ahrweiler, Hélène "L'histoire et la géographie de la région de Smyrne entre les deux occupations turques (1081-1317)" in (ed) Paul Lemerle Travaux et Mémoires: 1 (Paris. de Boccard 1965) 1-204 [Centre de recherche d'histoire et civilisation de Byzance]

Aigrain, René, see Louis Brehier

Akhtar, Shameem "Semantics of international agreements in early Islam" (IS 6.1967) 81-95

Alberigo, Giuseppe "L'Oecuménisme au moyen âge" (RHE 71.1976) 365-391

Albert d'Aix, Historia Hierosolymitana (1099), in RHC:Hist.Occ.IV

Alphandéry, Paul La Chrétienté et l'Idée des croisades (Paris. A. Michel 1954-1959) 2 vols. Texte établi par Alphonse Dupront

Amann, E "Jérusalem" article in DTC 8:997-1010 (Paris. Létouzey 1924)

Amari, Michele Storia dei Musulmani di Sicilia (1858) Second edition by C A Nallino (Catania. R Prampolini 1933-1939) 3 volumes

Amedroz, H.F. see Ibn Hamdun

Anairesis tōn kata tou Patriarcheiou Hierosolumōn Theoríōn tou Sir Anton Bertram; [English version] Refutation of the Allegations Put Forward by Sir Anton Bertram against the Patriarchate of Jerusalem (Jerusalem. Greek Convent Press 1937) [extract from Nea Sion]

Anaïssi, Tobias Bullarium Maronitarum (Rome. Bretschneider 1911)

Anastasius, Archbishop of Caesarea (ca. 1090) [Tract on the Fast of the Assumption] MPG 127

Andreades, André M. "Public Finances" in (eds) Baynes and Moss Byzantium (Oxford 1948/49) 71-85

Angelus, Saint, Vita (14th century) Acta SS, Mai: 2 (Paris 1868 ed.) esp. pp. 20*-46* and 50*-53*

Ankori, Zvi Karaites in Byzantium; the Formative Years 970-1100 (New York. Columbia Univ. 1959) and (New York. AMS 1968)

Anonymi auctoris Chronicon ad an. Chr. 1234 pertinens (ca. 1234) Part Two (820-1234). Syriac (ed) J.-B. Chabot CSCO 82 (Louvain 1916) and Latin (tr) Abouna and Fiey CSCO 354 (Louvain 1974)

al-Antaki, Ibrahim, see Vita of Christopher, and H. Zayat

an-Antaki, Yahya ibn Sa'id, see Yahya ibn Sa'id

Antreassian, Assadour Jerusalem and the Armenians (Jerusalem. St James 1969)

Aristenos, see Theodore Balsamon

Arnold, Thomas W. The Preaching of Islam (1896). Second edition (London. Constable 1913)

Armale, Isaac "al-Malakiyūn" [Les Melchites; leur Patriarcat d'Antioche, leur langue nationale et liturgique] (al-Machriq 34.1936) 37-66, 211-234, 361-394, 497-526

Ashtor [-Strauss], Elihu "L'Administration urbaine en Syrie medievale" (Rivisti di Studi Orientali 31.1956) 73-128

_____, "The Social Isolation of Ahl adh-Dhimma" in (ed) Otto Komlós Etudes Orientales a la Memoire de Paul Hirschler (Budapest 1950) 73-94 (also in collected essays The Medieval Near East (London Variorum Reprints 1978))

_____, A Social and Economic History of the Near East in the Middle Ages (Berkeley. Univ. of California / London. Collins 1976)

'Āshūr, Sa'īd 'Abd al-Fattāḥ al-Ḥarakat al-Ṣalībiyah; safḥat mashraqat fi Tārīkh al-Jihād al-'arabī fi'l-'Uṣūr al-Wusṭā [The Crusader Enterprise; the eastern phase of the history of the Arab Jihad in the Middle Ages] (Cairo. al-Anjalu'l-Miṣrīya 1971) 2nd ed. 2 vols

Assaf, Michael Tōladōt ha-'Aravīm b'Erets-Israel [History of the Arabs in Palestine] (Tel-Aviv. Davar 1941)

Assemani, Joseph Simon Bibliotheca Orientalis Clementino-Vaticana (Rome. Propaganda Fidei 1719-1728) 3 vols.[4 fasc.] Reprint (Hildesheim 1970)

_____, Iuris Orientalis Canonici et Civilis volume 4 (Rome 1764)

Assises d'Antioche (ed/tr) G. Alishinian (Venice. St Lazare 1876)

Assises de Jérusalem (ed) Le comte Beugnot, see RHC: Lois, vols.1,2. (also see Grandclaude, La Monte, and Prawer)

Atiya, Aziz S. A History of Eastern Christianity (London. Methuen / South Bend. Notre Dame Univ. 1968)

Atlas, Jerrold Organisation of the Kingdom of Jerusalem under Amalric I (PhD Dissertation. New York University 1969)

Attaleiates, Michael Historiarum (1080) (ed) W.Brunet, CSHB (Bonn 1853) (also translated by H. Grégoire in Byzantion 1958-1960)

Baer, Gabriel "Religious and Ethnic Groups" in (ed) Jacob Landau Man, State, and Society in the Contemporary Middle East (New York. Praeger 1972) 250-266

Balsamon, Theodore (d. 1199), Ioannes Zonaras (d. 1180 ?), and Aristenos Commentaria in Canoni MPG 137 & 138 (also see Photios)

Bar Abgārē, Katholikos Ioannes V (900-905) Canons, see Kaufhold

Bar Hebraeus, Gregory Abu'l-Faraj (d. 1286) Chronicum Ecclesiasticum; I - Chronicon Syriacum (1874) 2 vols., and II - Primates Orientis (1877) (eds/trs) J B Abbeloos and T J Lamy (Paris/Louvain) Reprint (Amsterdam. Philo 1970-1974) 2 vols

_____, Tārīkh Mukhtaṣir al-Duwal [Chronicle of World History] (ed) A. Salhani (Beirut. Catholic Press 1890). Also in the following versions: Historia Compendiosa Dynastiarum (ed/tr) Edward Pocock (Oxford 1663), and E A Wallis Budge The Chronography of Gregory Abu'l-Faraj Bar-Hebraeus (Oxford/London. H Milford 1932) 2 vols. Reprint (Amsterdam. Philo 1976)

Bar Salibi, Dionysius (d. 1171) Expositio Liturgiae (ed/tr) H Labourt CSCO 13, 14 (Louvain 1903)

Batiffol, Henri, and Paul Lagarde Droit international privé (Paris Lib. general de droit & de jurisprudence 1974) 6th ed. Vol.1

Battista, A. and B. Bagatti La fortrezza saracena del monte Tabor (Jerusalem. Franciscan Printing Press 1976)

Baudry, Joseph "Origines orientales du Carmel ? Le mythe et l'histoire" (Carmel 1979:4) 327-344

Baumstark, Anton "Die Heiligtümer des byzantinischen Jerusalem nach einer übersehenen Urkunde" (Oriens Christianus 1905) 227-289

Beck, Hans-Georg Kirche und theologische Literatur im byzantinischen Reich (Munich. C H Beck 1959)

Belin, M. see Ibn Naqqash

Ben-Ami, Ahron Social Change in a Hostile Environment; the Crusaders' Kingdom of Jerusalem (Princeton 1969)

Beneševič, Vladimir Nikolaevič (ed) Opisanie grečeskich rukopisej monastyria Sv. Ekateriny na Sinaě; Catalogus Codicum Manuscriptorum Graecorum qui in Monast. S Catherinae in Monte Sina servantur volumes I and III:1 (St Petersburg 1911, 1917)

Benvenisti, Meron The Crusaders in the Holy Land (Jerusalem Israel Universities Press 1970)

Beraud, Sylvain "Liste des prélats maronites dans l'Île de Chypre depuis 1340 à 1970" (Kypriakai Spoudai 34.1970) 13-18

Berchem, Max van "Notes sur les Croisades" (JA ser.IX:19. 1902) 385-456

Berger, Élie Saint Louis IX et Innocent IV (Paris 1893). Reprint (Geneva 1979)

Bernard (Frankish monk), Itinerarium (ca. 865-870), in Tobler

Beyer, Gustav "Die Kreuzfahrergebiete südwest-palästina" (ZDPV 68. 1946-1951) 148-192, 249-281

Biblioteca bio-bibliografica della Terra Santa, see Golubovich

Bidawid, Raphael J. Les lettres du patriarche nestorien Timothée I étude critique (Vatican City 1956) [=Studi e Testi 187]

Biondi, Biondo "Il Cristianismo nel Corpus Iuris" in L'Orient Cristiano nella Storia della Civiltà (Rome 1964) 273-295 [Accad. Nazionale dei Lincei, anno 361; Problemi attuali di scienza e di culture, 62]

Bishai, Wilson B. "Negotiations and peace agreements between Muslims and non-Muslims in Islamic history" in (ed) Sami Hanna Medieval and Middle Eastern Studies in Honor of Aziz Suryal Atiya (Leiden.Brill 1972) 50-61

Bongars, Jacobus (ed) Gesta Dei per Francos (Hannover. Wechelianis 1611)

Boojamra, John L. "Athanasios of Constantinople" (CH 48.1979) 27-48

Bosworth, C.E. "Christian and Jewish Dignitaries in Mamluk Egypt and Syria" (IJMES 3.1972) 59-74, 199-216

Branouse, Era L. Ta Hagiologika Keimena tou Hosiou Christidoulou [The Neglected Holy Writings of St. Christodoulos] (Athens 1966)

Braun, Oscar Das Buch der Synhados, see Synodicon Orientale

Brehier, Louis "La situation des chrétiens de Palestine à la fin du viii siècle et l'établissement du protectorate de Charlemagne" (Moyen Age ser.2:21 [= vol.30] 1919) 67-75

_____, Le Monde byzantin: II - Les institutions de l'empire byzantin Paris. Albin Michel 1950) Reprint (1970)

_____, L'Église et l'Orient au moyen âge, les Croisades (Paris.Gabalda 1928)

_____, review of C. Erdmann Entstehung des Kreuzzugsgedankes (RHE 32.1936)671-6

_____, and René Aigrain Grégoire le Grand, les États barbares, et la conquête arabe (AD 590-757) (Paris. Bloud & Gay 1947) [= Histoire de l'Église, (eds) Fliche & Martin, vol. 5]

Brown, Peter Religion and Society in the Age of Saint Augustine (New York. Harper & Row 1972)

Bruns, Karl Georg Syrisch-römisches Rechtsbuch, see Syro-Roman Law Code

Burns, Robert Ignatius Medieval Colonialism; post-crusade exploitation of Islamic Valencia (Princeton 1975) (incorporates the following...)

_____, "A Medieval Income Tax; the tithe in the 13th century Kingdom of Valencia" (Speculum 41.1966) 438-452

Cahen, Claude "Indigènes et Croisés; quelques mots à propos d'un medecin d'Amaury et de Saladin" (Syria 15.1934) 351-360

_____, La Syrie du Nord, à l'époque des croisades, et la principauté franque d'Antioche (Paris. Geuthner 1940)

Cahen, Claude "Mouvements et organisations populaires dans les villes de l'Asie musulmane au moyen-âge; milices et associations de foutouwwa" (Recueil de la Société Jean Bodin vii:2.1955) 273-285

_____, "L'Islam et la Croisade" Storia del Medioevo (Florence. Sansoni 1955) 625-635 [= Relazioni del X Congresso internazionale di scienze storiche (Rome 1955) vol.3]

_____, "La féodalité et les institutions politiques de l'orient latin" Oriente ed Occidente nel medio evo (Rome 1957) [= Atti dei Convegni 12; Convegno di scienza morali, storiche e filologiche (Rome 1956) Accademia nazionale dei Lincei] pp. 167-191

_____, "L'Islam et les minorités confessionnelles au cours de l'histoire" (La Table Ronde 126 Juin 1958)

_____, "L'Evolution sociale du monde musulman, jusqu'au xiii siècle, face à celle du monde chrétien" (Cahiers de Civilisation médiévale 1. 1958) 451-463; (2.1959) 37-51

_____, "Histoire économico-sociale et islamologie; la problème préjudicial de l'adaptation entre les autochtones et l'Islam" (Correspondance d'orient.V:5. 1961) 197-215

_____, "Un document concernant les Melkites et les Latins d'Antioche au temps de Croisades" (REB 29.1971) 285-292

_____, article "Djizya" and article "Dhimma" in EI^2

Cahn, Zvi The Rise of the Karaite Sect (New York. Tausner 1937)

Callistus, Nicephorus, see Kallistos

Canard, Marius "Le déstruction de l'église de la Resurrection par le calife Hākim, et l'histoire de la descente du Feu Sacré" (Byzantion 35. 1965) 16-43

CARTULAIRES of the Church of the Holy Sepulcher, of the Order of St John, of the Abbey of Notre Dame de la Vallee de Josaphat, of the Teutonic Order, etc., see "Sources", Appendix Four

Cedrenus, George, see Kedrenos

Cerulli, Enrico Etiopi in Palestina; storia della communita Etiopica di Gerusalemme (Rome 1943, 1947) 2 vols.

Chaba, Raphael "La primauté de Pierre et du Pape dans l'Église syrienne orthodoxe" in Il Primato e l'Unione della Chiesa nel medio oriente (Cairo. Centre Franciscain 1960) 185-214

Chabot, J.-B. Synodicon Orientale, q.v.

Chalandon, Ferdinand Les Comnène; études sur l'empire byzantin aux xi & xii siècles (Paris. Picard 1900, 1912) 2 vols. Reprint (New York. Burt Franklin 1960, 1971)

_____, Histoire de la domination normande en Italie et en Sicile (Paris 1907) Reprint (New York. Burt Franlkin 1960) 2 vols

Charanis, Peter "Aims of the medieval Crusades and How they were viewed by Byzantium" (CH 21. 1952) 123-134

_____, "The Byzantine Empire in the Eleventh Century", Chpt. Six in (ed) M. Baldwin The First Hundred Years (Philadelphia 1958; Madison 1969) [= (ed) K.Setton A History of the Crusades, vol. 1]

Cheiko, Louis "Les archévêques de Sinai" (Mélanges de l'Université de St Joseph 2.1907) 408-421

Choniates, Niketas (1155/57-1215/17) Historia (ed) I.Bekker, CSHB (Bonn 1835) and (ed) I A vanDieten, CFHB (Berlin 1975); also (tr) Franz Grabler Die Krone der Komnenen (Graz 1958)

_____, Thesaurus Orthodoxae Fidei (Latin version), MPG 139-140

Christodoulos, Coptic Patriarch of Alexandria (1047-1077) Canons (ed/tr) O H E Burmester (Muséon 45. 1932) 71-84

Christopher, Vita, see Habib Zayat "Vie du patriarch"

Cinnamus, John, see Kinnamos

La Citez de Hierusalem (ca. 1187) in Tobler and PPTS

Classen, Peter "Das Konsil von Konstantinople und die Lateiner" (BZ 48.1955) 339-368

Clugnet, Leon "Les offices et les dignités écclésiastiques dans l'église grecque" (ROC 3.1898) 142-150, 260-264, 452-457; (4.1899) 116-128. Also in book form (Paris 1899)

Codificazione Canonica Orientale [= Sacra Congregazione Orientale; Pontificia Commissione per la Redazione del Codice di Diritto Canonico Orientale] "Fonti" :
Series I: Korolevskij Studi storici (q.v.)
Joannou Discipline general (q.v.)
Series II: Darblade La Collection canonique (q.v.)
Vosté Caldei, diritto antica (q.v.)
Hindo Discipline Antiochena... les Personnes (q.v.)
deClercq Les Textes juridiques... de Nicon (q.v.)
Series III: Tăutu Acta Roman. Pontif. (AD 90-1198) (q.v.)
Haluščynskyj Acta Innocentii III (q.v.)
Tăutu Acta Honorii III & Gregorii IX (q.v.)
Haluščynskyj & Wojnar Acta Innocentii IV (q.v.)

Cohen, Mark R. The Origins of the Office of Head of the Jews in the Fatimid Empire (Dissertation. Jewish Theological Seminary, New York 1976) and in book form (Princeton 1981)

Commemoratorium de Casis Dei vel Monasteriis (ca. 808) in Tobler & Molinier, in Tobler, and (tr) Col. Wilson, PPTS

Compagnoni, Pia Il Deserto de Guida (Jerusalem. Franciscan Press 1975)

Congar, Yves "Quatre siècles de désunion et d'affrontement" (Istina 1968) 131-152

Couret, A. le Comte L'Ordre du saint Sépulcre de Jérusalem (Orleans Herluison 1887)[= extraits de La Terre Sainte, 1885-1887]

_____, Notice historique sur l'Ordre du saint Sépulcre de Jérusalem (Paris. Bureau des Oeuvres d'Orient 1905)

Coussa, Acacius "Indication des sources du droit canon chez les Melchites" in Karalevskij Studi storici (Rome 1932) [CCO I:8] pp. 376-468. See Karalevsky op.cit.

_____, Epitome Praelectionum de Iure Ecclesiastico Orientali (Grottaferrata 1948) vol. I

Crone, Patricia, and Michael Cook Hagarism; the making of the Islamic World (New York. Cambridge Univ. 1977)

Cutler, Allan "The First Crusade and the Idea of Conversion" (Muslim World 58.1968) 57-71, 155-164

Dagron, Gilbert "Minorités ethniques et religieuses dans l'Orient byzantin à la fin du X & au XI siècle; l'immigration syrienne" in (ed) Paul Lemerle Travaux & Memoires 6 (Paris 1976) 177-216 [Centre de recherches d'histoire et civilisation de byzance]

_____, "Le Christianisme dans la ville byzantine" (Dumbarton Oaks Papers 31.1977) 1-26

Dajani-Shakeel, Hadia "Displacement of the Palestinians during the Crusades" (Muslim World 68.1978) 151-175

Daniel, Russian abbot Itinerary (ca.1106-07), in Khitrowo, in Koikylidos, and (tr) Col. Wilson in PPTS

Daniel, Norman Islam and the West; the making of an Image (Edinburgh. University Press 1960)

Darblade, J.B. "Le collection canonique melchite d'après les MSS arabes des 13-14 siècles" (OCP 4.1938) 85-119

_____, La collection canonique arabe des Melkites (xiii-xvii siècle) (Harissa. St Paul 1946) [CCO: II:13]

Darrouzès, Jean "Un récueil épistolaire byzantin; le manuscrit de Patmos No. 706 " (REB 14.1956) 87-121

_____, "Le mémoire de Constantin Stilbès contre les Latins"(REB 21.1963)50-100

_____, Recherches sur les ΟΦΦΙΚΙΑ de l'église byzantine" (Paris. Institut française d'études byzantine 1970)[Archives de l'orient chrétien,11]

Dauvillier, Jean "Les provinces Chaldéennes «de l'extérieur» au moyen age" in Mélanges Ferdinand Cavallera (Toulouse. Bibl. de l'Inst. Catholique 1948) 260-316

_____, "Byzantins d'Asie centrale et d'extrême-orient au moyen age" (REB 11.1953) 62-87 [= Mélanges Martin Jugie]

_____, "L'Expansion de l'église syrienne en Asie centrale et en extrême-orient" (l'Orient Syrien 1.1956) 76-87

_____, article "Chaldéen (droit)" in DDC, III fasc. 13-14

deClercq, Carolus "Latera Iuridica Ecclesiarum orientalium" (Apollinaris 38.1965) 215-235

_____, "Diversitas iuridica ecclesiarum orientalium" (Apollinaris 38.1965) 348-371

_____, Fontes Iuridici ecclesiarum orientalium; studium historicum (Rome. Pontif. Inst. Oriental. Studi 1967)

_____, article "Byzantin (droit)" in DDC, II:1170-1184

_____, "Les Textes juridiques de Nicon", see Nikon of Black Mountain

Delehaye, H. "Saints de Chypre", see Neophytus of Cyprus

delaville le Roulx, J. "Trois chartes du xii siècle concernant l'Ordre de S. Jean de Jérusalem" (AOL 1.1881) 409-416 (for other works, see Appendix Four)

Delaborde, H.-F. Chartes de Terre Sainte (Paris 1880) (See Appendix Four)

Denha I, Katholikos (1265-1281); J.-B. Chabot "Éloge du patriarche nestorien Mar Denha I par le moine Jean" (JA ser.ix:5. 1895) 110-141

Dennett, Daniel Conversion and the Poll Tax in early Islam (Cambridge. Harvard 1950)

Denny, Frederick "The meaning of UMMAH in the Qur'an" (History of Religions 15. 1975) 34-70

_____, "UMMAH in the Constitution of Medina" (JNES 36.1977) 39-47

Derenbourg, H. Vie d'Ousama and "Autobiographie d'Ousama", see Usama ibn Munqidh

deVita, Iohannes De Origine et Iure Decimarum Ecclesiasticarum (Rome 1759)

deVries, Wilhelm Der christliche Osten in Geschichte und Gegenwart (Würzburg. Augustinus Verlag 1951)

_____, "Zum Kirchenbegriff der nestorianischen Theologen" (OCP 17.1951)95-132

_____, "Zum Kirchenbegriff der späteren Jakobiten" (OCP 19.1953) 128-177

_____, Der Kirchenbegriff der von Rom getrennten Syrer (Rome 1955) [= Orientalia Christiana Analecta 145]

_____, Rom und die Patriarchate des Ostens (Freiburg/Munich. Karl Alber 1963)

_____, "Innozenz IV und der christliche Osten" (Ostkirchliche Studien 12.1963) 113-131

_____, "Innozenz III und der christliche Osten" (Archivum Historiae Pontificalis 3. 1965) 87-126

Dikigoropoulos, A.I. "The Church of Cyprus during the period of the Arab Wars 649-965" (Greek Orthod. Theol. Review 11.1965)237-279

Dix, Gregory "Jurisdiction, episcopal and papal, in the early Church" (Laudate 15.1937)45-55, 101-124, 157-173, 232-250; (16.1938)107-118, 166-181,231-243; reprinted as Jurisdiction in the early Church (London. Church Literature Assoc. 1975)

Djobadze, Wachtang Z. Materials for the Study of Georgian monasteries in the Western Environs of Antioch on the Orontes (Louvain 1976) [CSCO, Subsidia 48]

Dobschütz, E. von "Die konfessionellen Verhältnisse in Edessa unter der Araberherrschaft" (Z. Wissen. Theologie 41.1898) 364-392

Doens, I. "Nicon de la Montagne Noire" (Byzantion 24.1954) 131-140

Dölger, Franz, see Regesten der Kaiserurkunden

Douglas, David C. The Norman Achievement, 1050-1100 (Berkeley. Univ. of California 1969)

_____, The Norman Fate, 1100-1154 (Berkeley. Univ. of California 1976)

Duchesne, L. "Les évêques de Calabre" in Mélanges Paul Fabre (Paris A. Picard 1902) 1-16

Dulaurier, Édouard Étude sur l'organisation politique, religieuse, et administrative du Royaume de la Petite-Arménie à l'époque des Croisades (Paris. Imp. Nationale 1862) [= extrait du JA 1861]

Dumas, Auguste, article "Juridiction ecclésiastique (histoire de la)" in DDC, VI: 238-247

Duval, Ruben Histoire politique, religieuse et litteraire d'Edesse jusqu'à la premiere Croisade AD 132-1144 (Paris. Impr. Nationale 1892) [= extraits de JA 1891-92] Reprint (Amsterdam, Philo 1970)

Dvornik, Francis Byzance et la Primauté romain (Paris. Ed. du Cerf 1964) [Unam Sanctam 49] English translation Byzantium and the Roman Primacy (New York. Fordham University 1966)

Ebedjesu, Metropolitan of Nisibis (d. 1318), see Vosté

Ebersolt, Jean Orient et Occident; II - Recherches sur les influences byzantines et orientales en France pendant les Croisades (Paris 1929) Reprint (Paris. Boccard 1954)

Edelby, Néophyte "l'Autonomie legislative des chrétiens en terre d'Islam" (Archives d'histoire du droit oriental 5.1950/51)307-351

_____, "l'Origine des jurisdictions confessionnelles en terre d'Islam" (POC 1.1951) 192-208

_____, "Note sur le catholicosat de Romagyris" (POC 2.1952) 39-46

_____, "La Transjordanie chrétienne dès origines aux croisades" (POC 6.1956) 97-117)

Ehrhard, Albert "Das griechische Kloster Mar-Saba in Palästina, seine Geschichte und seine literarischen Denkmäler" (Römische Quartelschaft 7. 1893) 32-79

Englezakis, Benoît "Jean le Chrysostomite, patriarche de Jérusalem au xii siècle" (Byzantion 43.1973) 506-508

Epiphanios theMonk, Diègèsis (ca. 800) in MPG 120; also in Ioannides, in Koikylidos, in Khitrowo, and most recent edition by Herbert Donner "Die Palästinabeschreibung des Epiphanius" (ZDPV 87.1971) 42-91

Ernoul (1164-1230) Itinerary, in Tobler, and (tr) Lt.Col.Conder in PPTS (with the Cites de Hierusalem)

_____, Chronique, see MasLatrie

Every, George "Syrian Christians in Palestine in the early Middle Ages" (ECQ VI:7. 1946) 363-372

_____, "Syrian Christians in Jerusalem 1183-1283" (ECQ VII:2.1947) 46-54

_____, "Syriac and Arabic in the Church of Jerusalem" (Church Quarterly Review. cxlv. 1947/48) 230-240

_____, The Byzantine Patriarchate 451-1204 (London. SPCK 1962) 2nd ed

Falkenhausen, Vera von Untersuchungen über die byzantinische Herrschaft in Suditalien vom 8 bis ins 11 Jahrhundert (Wiesbaden. Harrassowitz 1967) [Schriften zur Geistesgeschichte des Östlichen Europa; Univ. of Munich, 1]

Fattal, Antoine "Comment les dhimmis étaient jugés en terre d'Islam ?" (Cahiers d'histoire egyptienne. ser.III:4. 1951) 321-241

_____, Le Statut légal des non-musulmans en pays d'Islam (Beirut. Imrp. Catholique 1958)[Recherches de l'Institut de Lettres Orientales de Beyrouth, 10]

Fedalto, Giorgio La Chiesa Latina in Oriente [= vol.1] (Verona. Massiana 1973). Vol.2 Hierarchia Latina orientis (Verona. Massiana 1976)

Feghali, Joseph Histoire de droit de l'église maronite (Paris. Letouzey 1962)

Fetellus, or Eugesippus Symmikta (ca. 1130-1155) in Koikylidos, and in MPL 155 and MPG 133. Also (tr) James MacPherson in PPTS

Fiey, Jean-Maurice (series) "Chrétientés syriaques de l'Iran" :
"Les dioceses syriens orientaux du Golfe arabo-persique" in Mémorial Mgr. Gabriel Khouri Sarkis (Paris 1969) 177-219
"l'Élam, première des métropoles syriennes orientales" (Melto 2.1969) 221-267
"La Médie, les provinces sud-caspiennes" (Parole de l'Orient 1.1970) 123-153, 357-384, and (2.1971) 329-434
"Chrétientés syriaques du Ḫorāsān and du Ségistān" (Le Muséon 86. 1973) 75-104
"Āḏarbāygān chrétien" (Le Muséon 86.1973) 397-435

_____, "Les pèlerinages des Nestoriens et Jacobites à Jérusalem" (Cahiers de Civilisation medievale 12.1969) 113-126

_____, "Chrétiens syriaques entre Croisés et Mongols" in Symposium Syriaca 1972 (Rome 1974) [Orientalia Christiana Analecta 197]

_____, Chrétiens syriaques sous les Mongols (Louvain 1975) (CSCO 362; Subsidia 44]

_____, "Martyropolis syriaque, après Mārūṯā" (Le Muséon 89.1976)5-38

_____, "‹Rūm› à l'Est de l'Euphrate" (Le Muséon 90.1977) 365-420

Filhol, René "Gouvernants et gouvernés dans les principautés francques d'Orient" (Recueil de la Société Jean Bodin 24.1966) 101-125

Fischel, Walter Jews in the Economic and Political Life of Medieval Islam (London. Royal Asiatic Society 1937). Reprint (New York. Ktav 1969)

FitzGerald, S.V. "The alleged debt of Islamic to Roman Law" (Law Quarterly Review 67.1951) 81-102

Frazee, Charles A. "The Christian Church in Cilician Armenia; its relations with Rome and Constantinople to 1198" (CH 45.1976) 166-184

Freshfield, Edwin Hanson Roman Law in the Later Roman Empire (Cambridge. Bowes & Bowes 1932)

Friderich, Melchiore Quaestiones Canonicae de Decimis (Ingolstadt. de la Haye 1710)

Friedmann, Yohanan "Islam is superior..." (Jerusalem Quarterly 11.1979)36-42

Frye, Richard N. "Zoroastrier in der frühislamischen Zeit" (Der Islam. 40. 1965) 189-199

Fulcher of Chartres (ca. 1058-1127) Historia Hierosolymitana, in Bongars, in RHC: Hist. Occ. III, and (ed) H.Hagenmeyer (Heidelberg. C.Winters 1913), and (tr) Sister Frances Rita Ryan A History of the Expedition to Jerusalem (Knoxville. Univ. of Tennessee 1969)

Gaudefroy-Demombynes, Maurices La Syrie à l'époque des mamelouks, d'après les auteurs arabes (Paris. Geuthner 1923)

_____, "Notes sur l'histoire de l'organisation judicaire en pays d'Islam" (REI. 13.1939) 109-147

Gaudemet, Jean La Formation du Droit séculier et du Droit de l'Église aux iv et v siècles (Paris. Sirey 1957)[Institut de droit romain de l'Université de Paris, 15]

_____, L'Église dans l'Empire romain, iv-v siècles (Paris. Sirey 1958) [= Histoire du Droit et des Institutions de l'Église en Occident, (ed) G. LeBras, vol.3]

Gauthier, Paul "Jean V l'Oxite", see John Oxite

Gay, Jules "Les diocèses de Calabre à l'époque byzantine" (Revue d'histoire & de literature religieuse 5.1900) 233-260

_____, L'Italie méridionale et l'empire byzantin (867-1071) (Paris 1904) [Bibliothèque des Écoles françaises d'Athènes et de Rome, 90]

_____, Les papes du xi siècle et la chrétienté (Paris. Gabalda 1926)

Gelzer, Heinrich "Ungedruckte und wenig bekannte Bistümverzeichnisse der orientalischen Kirche" (BZ 1.1892) 245-282, (2.1893) 22-72

George of Cyprus (fl. AD 600) (ed) Heinrich Gelzer Georgii Cyprii Descriptio Orbis Romani (Leipzig. Teubner 1890)

George the Hagiorite (d. 1065) Vita (scr. 1068) in P. Peeters "Histoires monastiques georgiennes" (Anal. Bolland. 36-7. 1917/1919) section 2, pp. 69-159

Gesta Tancredi, see Radulf Cadomensi

Gil, Moshe "The Constitution of Medina; a reconsideration" (Israel Oriental Studies 4.1974) 44-66

Gill, Joseph "Innocent III and the Greeks; Aggressor or Apostle ?" in (ed) Derek Baker Relations between East and West in the Middle Ages (Edinburgh 1973) 95-108 [= Colloqium on Medieval History, University of Edinburgh, March 1969]

_____, "The Tribulations of the Greek Church in Cyprus 1196-1280" (Byzantinische Forschungen 5.1977) 73-93

Girgensohn, Dieter "Dall'Episcopato greco all'Episcopato latino nell' Italia meridionale" in La Chiesa greca in Italia dall'viii al'xv secolo (Padua. Antenore 1973) 25-43 [= Atti del Convegno storico interecclesiale, Bari 1969; vol. I] [Italia Sacra; Studi e documenti di Storia ecclesiastica, 20]

Glykas,Michael Chronikè (ca. 1118) (ed) Isaac Bekker (Bonn 1836) [CSHB]

Goldziher, Ignaz Muhammedanische Studien (Halle 1889-1890). English version (tr) Barber & Stern Muhammedan Studies (London. Allen & Unwin / Chicago. Aldine 1971) 2 vols

Golubovich, Girolamo Biblioteca bio-bibliografica della Terra Santa e dell'Oriente Francescano; series I, vols. 1 & 2 (Florence. Quaracchi. 1906, 1913)

Goodblatt, David M. "The Poll Tax in Sasanian Babylonia; the Talmudic Evidence" (JESHO 22.1979) 233-295

Gottheil, Richard "Dhimmis and Moslems in Egypt" in Old Testament and Semitic Studies in Memory of William Rainey Harper (Univ. of Chicago Press 1908) vol. II, pp.353-414

Gouillard, Jean "l'Hérésie dans l'empire byzantin, dès origines au xii siècle" in (ed) Paul Lemerle Travaux & Memoires: I (Paris de Boccard 1965) 299-324 [Centre de recherche d'histoire et civilisation de Byzance]

_____, "Le Synodikon de l'Orthodoxie" in (ed) Paul Lemerle Travaux & Memoires: II (Paris. de Boccard 1967) [Centre de recherche d'histoire et civilisation de Byzance]

Gosman, F. "Disciplina Alessandrina: Copti" [article in French] in Cyril Karalevskij Studi storicisulle Fonti del Diritto canonico orientale (Rome 1932) 33-71 [= CCO I:8]

Goitein, Shlomo Dov "The Title and Office of the Nagid; a re-examination" (Jewish Quarterly Review 53.1962) 93-119

_____, "Evidence on the Muslim Poll Tax from non-Muslim Sources" (JESHO 6.1963) 278-295

_____, "Minority Self-rule and Government control in Islam" (Studia Islamica 31.1970) 101-116

_____, A Mediterranean Society: II - The Community (Berkeley. Univ. of California 1971)

_____, Interfaith Relations in Medieval Islam (New York. Columbia 1973) [= Yaacov Herzog Memorial Lecture]

Grandclaude, Maurice Étude critique sur les Assises de Jérusalem (Paris. Jouve 1923) [thèse doctorale, faculté de droit, Univ. de Paris]

_____, "Liste d'Assises remontant au premier Royaume de Jérusalem" in Mélanges Paul Fournier (Paris 1929) 329-345

Gregorios, Hierodeacon of Palamas Hierosolumías, ētoi Epítomos Historía tēs Hagías Poleōs Hierousalēm [Historical Study of Jerusalem, the Holy City] (Jerusalem. Greek Convent Press 1862)

Gregory IX, Pope (1227-1241) Decretals (ed) A L Richter Corpus Iuris Canonici: II - Decretales Gregorii Papae IX (Peipsig. Tauchmitz 1839) See also Maupied.

Grousset, René Histoire des Croisades et du Royaume Franc de Jérusalem (Paris. Plon 1934-36) 3 vols

Grumel, Vénance "Le Jeune de l'Assomption, dans l'église grecque" (EO 32.1933) 162-194

_____, "Les patriarches grecs d'Antioche du nom de Jean" (EO 32.1933) 279-299

_____, "Notes pour l'«Oriens Christianus»" (EO 33.1934) 52-58

_____, "Le patriarcat et les patriarches d'Antioche sous la second domination byzantine" (EO 33.1934) 129-147

_____, "Jérusalem entre Rome et byzance" (EO 38.1939) 104-117

_____, "La chronologie des patriarches de Jérusalem sous les Comnènes" in Sbornik v pamet na Prof. Petŭr Nikov (Sofia 1940) 109-114 [Bulletin de la Société historique Bulgare, 16-18]

_____, "La chronologie des patriarches grecs de Jérusalem au xiii siècle" (REB 20.1962) 197-201

_____, Les Régestes (q.v.)

_____, "Titulature de métropolites byzantines: I - les métropolites syncelles" (REB 3.1945) 92-114

Grumel, Victor "Nicon de la Montagne Noire et Jean IV l'Oxite" (REB 21.1963) 270-272

Gutzwiller, Max Geschichte des Internationalprivatrechts (Basel/ Stuttgart. Helbing & Lichtenhahn 1977)

Hackett, J. A History of the Orthodox Church of Cyprus (London. Methuen 1901)

Hage, Wolfgang Die syrisch-jakobitische Kirche in frühislamischer Zeit (Wiesbaden. Harrassowitz 1966)

Hagenmeyer, H. "Chronologie du Royaume de Jérusalem: i - Règne de Baudouin I (1101-1118)" (ROL 9.1902) 384-465; (10.1904) 372-405 (11.1908) 145-180, 453-485; (12.1911) 62-103, 283-326

Hajjar, Joseph Les Chrétiens Uniates du Proche-Orient (Paris. du Seuil 1962)

Haluščynskyj, Théodore "Introductio" to Acta Innocentii III [= CCO: III] pp. 18-45. Also see Innocent III and Innocent IV

Hamdani, Abbas "Byzantine-Fatimid Relations before the Battle of Manzikert" (Byzantine Studies 1:2. 1974) 169-179

Hamidullah, Muhammad Corpus des traités et lettres diplomatiques de l'Islam (Pairs. Maisonneuve 1935) [French translations only]

_____, Majmū'at al-Wathā'iq al-siyāsah li'l-'ahd al-nabawi wa'l-Khilāfati 'l-rāshidah (Cairo 1956 / Beirut 1969) [= fuller collection of above, with Arabic originals]

Hamilton, Bernard "Women in the Crusader States; the Queens of Jerusalem 1100-1190" in (ed) Derek Baker Medieval Women (Oxford. Blackwells 1978) 143-174

_____, "The Armenian Church and the Papacy at the Time of the Crusades" (ECR 10.1978) 61-87

_____, "The Holy Places of Jerusalem in the 12th Century" in (ed) Derek Baker Renaissance and Renewal in Christian History (Oxford Blackwells 1977) 105-116 [= Studies in Church History, 14]

Hampel, Emil Untersuchungen über das lateinische Patriarchat von Jerusalem (1099-1118) (Breslau 1899) [= doctoral dissertation at Erlangen, 1898]

al-Ḥanbalī, Mūjīr al-Dīn (d. 1521) Kitāb al-'Ans al-Khalīl bi-Tārīkh al-Quds wa'l-Khalīl [Book of Noble Men in the History of Jerusalem and Hebron] (Arab ed. ca. 1850) French version by Henry Sauvaire Histoire de Jérusalem et d'Hébron (Paris. Leroux 1876)

Hankey, C. Patrick, and Yanish Voyeslav Lives of the Serbian Saints (London. SPCK / New York. Macmillan 1921)

Haring, Johann Grundzüge des katholischen Kirchenrechtes (Graz. Moser 1916)

Hartmann, Richard Palästina unter den Arabern (632-1516) (Leipzig. Hinrich 1915) [= Das Land der Bibel (ed) G.Hölscher, I:4]

Hasluck, F. W. Christianity and Islam under the Sultans (Oxford 1929)2 vols.

Hassam, Abdel-Rahman "Le droit musulman et le droit romain" (Archives d'histoire du droit oriental 4.1949) 301-322

Hecht, W. "Der Bios des Patriarchen Leontios von Jerusalem als Quelle zur Geschichte Andronikos I Komnenos" (BZ 61.1968) 40-43

Heimbach, G.E. se Justinian Novellae

Herde, Peter "Il Papato e la Chiesa greca nell'Italia meridionale dall' xi al xiii secolo" in La Chiesa greca inItalia dall'viii al'xv secolo (Padua. Antenore 1973) 213-255 [= Atti del Convegno storico intereccclesiale, Bari 1969; vol. I] [Italia Sacra; Studi e documenti di storia ecclesiastica, 20]

Hergenröther, Philipp Lehrbuch der Katholichen Kirchenrechts, (rev) by J. Hollweck (Freiburg. Herder 1905)

Herman, Emil "The Secular Church" [= Chpt.23] of Cambridge Medieval History (Cambridge 1967) vol. IV:2, pp.105-134

Hiestand, Rudolf "Kaiser Konrad III,der zweite Kreuzzug und ein verlorenes Diplom für den Berg Thabor" (Deutsches Archiv für Erforschung des Mittelalters 35.1979) 82-126

_____, "Chronologisches zur Geschichte des Königreichs Jerusalem im 12 Jahrhundert" (Deutsches Archiv für Erforschung des Mittelalters 35.1979) 542-555

Hill, Georg Francis A History of Cyprus (Cambridge 1940-1952) Vols. I (to 1192), II (1192-1432), and III (1432-1571), the last two having continuous pagination

Hindo, Paul Disciplina Antiochena Antioca Siri (Vatican 1951)[CCO II:25-27]

History of the Patriarchs [of Alexandria], see Severus ibn al-Muqaffa'

Hitti, Phillip K. "The Impact of the Crusades on Eastern Christianity" in (ed) Sami A. Hanna Medieval and Middle Eastern Studies in Honor of A. S. Atiya (Leiden. Brill 1972) 211-217

Hoenerback, W. Das Recht der Christenheit, see Ibn al-Tayyib

Hofmann, G. Sinai und Rom (Rome 1927)[= Orientalia Christiana, 9.3]

Holtzmann, Walther Papsttum, Normannen und griechische Kirche (Munich. Schroll 1961) [= Miscellenea Bibliothecae Hertzianae; Römische Forschungen der Bibliotheca Hertziana, 16]

Honigmann, E. "Studien zur Notitia Antiochena" (BZ 25.1925) 60-88

Honorius III, Pope, see Tautu

Hotzelt, Wilhelm "Die Chorherren vom Heiligen Grabe in Jerusalem" in Das Heilige Land in Vergangenheit und Gegenwart (Cologne 1940) 107-136 [= Palästinahefte des Deutschen Vereins vom Heiligen Lande 24-27]

_____, Kirchengeschichte Palästinas im Zeitalter der Kreuzzuge 1099-1291 (Cologne. Bachem 1940) [= Kirchengeschichte Palastinas von der Urkirche bis zur Gegenwart, 3] [Palästinahefte des Deutschen Vereins vom Heiligen Lande, 29-32]

_____, "Kirchliche Organisation und religiöses Leben in Palastina während der Kreuzzugszeit" in Das Heilige Land in Vergangenheit und Gegenwart (Cologne 1940) 43-106 [= parts 1,3,4, & 6 of Kirchengeschichte, ut supra]

Husmann, Heinrich "Die syrischen Handschriften des Sinai-Klosters, Herkunft und Schreiber" (Ostkirchliche Studien 24.1975) 281-308

_____, "Die datierten griechischen Sinai-Handschriften des 9 bis 16 Jahrhunderts, Herkunft und Schreiber" (Ostkirchliche Studien 27. 1978) 143-168

ibn al-ʿAdīm, Kamāl al-dīn (1192-1262) Zubdatu'l-Halab min Tārīkh Halab [History of Aleppo] (ed) Sami Dahhan (Damascus. Institut Français 1951, 1954, 1968) 3 vols. French version (tr) E. Blochet Histoire d'Alep de Kamal al-Din ibn al-Adim (Paris. Leroux 1900) [= extraits de ROL 1895-1898]

ibn al-ʿAthīr, ʿIzz al-dīn Abū'l-Ḥasan ʿAlī ibn Muḥammad (1160-1234) al-Kāmil fi'l-Tārīkh (ed) C J Thornberg Ibn al-Athiri Chronicon (Leiden 1862-1877) 14 vols. Reprint (Beirut 1965-66) 9 vols. Also in RHC: Hist. Or. I, II

ibn al-Muqaffa', see Severus ibn al-Muqaffa'

ibn al-Tayyib, Abū'l-Faraj ʿAbdullah (d. 1043) al-Fiqh al-Nasrānīya (ed/tr) Wilhelm Hoenerback and Otto Spies Das Recht der Christenheit (Louvain 1956-57) [CSCO 161, 167 (Arabic), 162,168 (translation)]

ibn ʿAsākir (1106-1176) Tārīkh al-Damashq [History of Damascus] French version of excerpts, Nikita Elisseef La Description de Damas (Beirut. Institut français de Damas 1959)

ibn Fadl-allah, see al-ʿUmari

ibn Ḥamdūn (1101-1167) al-Tadhkirah (ed/tr) A. vonKremer "Zwei arabische Urkunden" (ZDMG 7.1853) 215-223, and H F Amedroz "Tales of Official Life, from the Tadhkira of Ibn Hamdun" (JRAS 1908) 447-470

ibn Isḥāq, Abū ʿAbdallah Muḥammad (d. 768) Sīrat al-Nabī (ed) ʿAbd al-Mālik b. Hishām b. Ayyūb (Cairo. Sabih 1963) 2 vols

ibn Jubayr (1145-1217) Riḥlah [Travels] Arab edition (Beirut 1964); also in RHC: Hist. Or. III, and (ed) William Wright (London. Luzac / Leiden Brill 1907)[Gibb Memorial Series, 5] Reprint (1949); and (tr) M.Gaudefroy-Demombynes Voyages (Paris. Geuthner 1949-53) 3 vols [Documents relatifs à l'histoire des Croisades, 4-6]; and (tr) R J C Broadhurst Travels (London. Jonathan Cape 1952)

ibn Munqidh, see Usama ibn Munqidh

ibn Naqqash, Muḥammad ibn ʿAli...al-Allāmi Shams al-dīn (d. 1362) M. Belin "Fetwa relatif à la condition des Zimmis chretiens en pays musulmans" (JA ser.IV:18. 1851) 417-516; (19. 1852) 97-140

ibn Qayyim al-Jawziyah, Shams al-dīn...Abū Bakr (d. 1351) Aḥkām Ahl al-Dhimmah [Laws governing protected peoples] (ed) Ṣubḥī al-Ṣāliḥ (Damascus. Univ. of Damascus Press 1961)

ibn Sa'id, see Yahya ibn Sa'id

ibn Shaddad, ʿIzz al-dīn...Muḥammad ibn ʿAlī ibn Ibrahīm (1217-1285) al-ʿAʿlāq al-Khaṭīrah fi Dhikr Umarāʾ al-Shām wa'l-Jazīrah (ed) Dominique Sourdel Le Description d'Alep (Damascus. Institut Français 1953); (ed) Sami Dahhan Le Description de Damas (1956) and Liban, Jordanie, Palestine, topographie historique (1963)

ibn Taymiyya, Aḥmad ibn ʿAbd al-Halim (1262-1328) al-Fatāwā al-Kubrā [Major collection of legal decisions](Cairo 1966) 5 vols

_____, al-Jawāb al-Ṣaḥīḥ li-man baddala Dīn al-Masīh [Refutation to those who have tampered with the Christian Faith](Cairo 1905)(Cairo 1959) 2 vols

_____, al-Risālat al-Qubruṣiyya [Letter to the People of Cyprus] (Cairo 1946)

ibn Yahya, see Salih ibn Yahya

Idris, H R "Les tributaires en occident musulman médieval d'après le «Miʿyār» d'al-Wansarīsī(m.914/1508)" in (ed) Pierre Salmon Mélanges d'Islamologie (Leiden. Brill 1974) 172-196

Innocent III, Pope (1198-1216) (ed) Th. Haluščynskyj Innocentii III Papae Acta (Vatican 1944) [CCO. III:2]

Innocent IV, Pope (1243-1254) (ed) Haluščynskyj & Nojnar Acta Innocentii Papae IV (Rome 1962) [CCO. III:4, 1]

Iōannides, Benjamin Proskunētárion tès Hagías Gès [Pilgrimages to the Shrines of the Holy Land] (Jerusalem. Greek Convent Press 1877)

Iorga, N. "Quelques observations sur les rapports entre le monde oriental et les croisés" in Mélanges d'histoire du moyen age offerts à M. Ferdinand Lot (Paris. Champion 1925) 259-274

Ius Canonicum Graeco-Romanum, see Leunclavius

Jacob of Edessa (633?-708) Canons (ed/tr) C Kayser Die Canones Jacobs von Edessa (Leipzig. Hinrich 1886); (ed/tr) François Nau Les canons et les résolutions canoniques (Paris. Lethielleux 1906)

Jacques de Vitry, see Vitry, Jacques de

Janin, Raymond "Les Géorgiens à Jérusalem" (EO 16.1913) 32-38, 211-219

_____, "Les sanctuaires de Byzance sous la domination latine" (REB 2.1944)134-18

Jarawan, Elias La Collection canonique arabe des Melkites et sa physionomie propre (Rome. Lateran University 1969)[Corona Lateranensis, 15]

Jenkins, R J H, and C Mango "A Synodicon of Antioch and Lacedoimonia" (Dumbarton Oaks Papers 15.1961) 225-242

Joannou, Periklès-Pierre Discipline général antique (Rome 1962-63) [CCO I:9] 2 vols

John V Oxite, Patriarch of Antioch (1085-1100) [Letters of resignation and Account of Departure from Antioch] (ed) Chrysostomos Papadopoulos "Ho Patriárchis Antiocheías Iōannes E' Oxeítes" (Hepetèris Hetaireías Byzantinōn Spoudōn 12.1936) 361-388; and (ed/tr) Paul Gauthier "Jean V l'Oxite, Patriarche d'Antioche, notice biographique" (REB 22.1964)128-167

John Phocas, see Phokas, John

John of Würzburg Descriptio Terrae Sanctae (c.1160-65) in Tobler; and in MPL, vol.155; and (tr) Aubrey Stewart PPTS

Jones, A H M The Later Roman Empire 284-602 (Oxford. Blackwell / Norman. Univ. of Oklahoma 1964) 2 vols

Joseph, John The Nestorians and their Muslim Neighbors (Princeton 1961)

Justinian, Emperor (527-565) Novellae (ed) G E Heimbach Authenticum Novellarum Constitutionum Iustiniani, versio vulgata (Leipzig 1846-51) reprint (Aalen. Scientia 1974) 2 vols

_____, Pandecta (ed) R J Pothier Pandectae Iustinianiae (Paris 1818-20) 5 vols

K., M. "Hè Mònè tou Hagiou Chrysustómou en Kyprō" [The Monastery of St John Chrysostom onCyprus] (Nea Sion 45.1950) 227-232

Kahle, Paul "Zur Geschichte des mittelalterlichen Alexandria" (Der Islam 12.1922) 29-83, 155-156

Kallistos Xanthopoulos, Nikephoros [Ecclesiastical History] (d.1327) in MPG, vol.145-147

Kamāl al-Dīn, see Ibn al-ʿAdīm

Kapeneka, Archimand. Jacobus "To Tagma tōn Spoudaiōn" [The Order of the Zealous] (Nea Sion 55. 1960) 231-244

Karalevsky, Cyrille [also Korolevskij, or Charon] "l'Origine ethno-graphique des Melkites" (EO 11.1908) 35-40, 82-91

_____, Histoire des Patriarcats Melkites: III - Institutions (Rome. Pustet 1911)

_____, (art.) "Antioche" in Dict. Hist. Géog. Eccles. (Paris 1924) vol. III, cols. 591-703

_____, (ed) Studi storici sulle Fonti del Diritto Canonico Orientale (Rome 1932) [CCO I:8]

_____, "Classification et valeur des sources connues de la discipline Chaldéene" in above work, pp. 655-706

Karapiperis, M K "Ho Historikòs Charaktèr kè hè idiótès tou Patriarcheíou Hierosolýmōn" [The historical character and attributes of the Jerusalem Patriarchate] (Theología 16.1938) 48-59, 153-160, 241-248, 323-335

_____, "To Patriarcheíon tōn Hierosolýmōn 451-1951" (Nea Sion 46. 1951) 9-32, 144-171

_____, "To Patriarcheíon tōn Hierosolýmōn 451-1951" part two, in Chilioste Pentakosioste Epeterios tou Patriarcheiou Hierosolýmōn 451-1951 [1500th Anniversary of the Jerusalem Patriarchate] (Jerusalem. Greek Convent Press 1952) vol. I, pp.30-52, 76-125

Karolidos, Paul Perì tès Ethnikès Katagōgès tōn Orthodoxōn Christianōn Syrías kè Palaistinès [Concerning the Ethnic Origin of the Orthodox Christians of Syria and Palestine] (Athens. Sakellarios 1909)

Kaufhold, Hubert Syrische Texte zum islamisches Recht (Munich. Beck 1971) [= Bayern. Akad. des Wissen./phil-hist. Klasse: Abhandlungen, 74]

_____, "Islamisches Erbrecht in christlich-syrischer Überliegerung" (Oriens Christianus 59. 1975) 19-35

Kawerau, Peter Die jakobitische Kirche im Zeitalter der syrischen Renaissance (Berlin. Akademie Verlag 1960) 2nd ed.

Kayser, C. see Jacob of Edessa

Kedrenus, George (d. ca. 1080) Synopsis Historiōn (ed) I.Bekker CSHB (Bonn 1839) 2 vols, and also in MPG, vols. 121-122

Kenaan, Nurith "Local Christian Art in 12th century Jerusalem" (Israel Exploration Journal 23.1973) 167-175, 221-229

Khadduri, M. and H. Liebseny (eds) Law in the Middle East: I - Origins and Development of Islamic Law (Washington D.C. Middle East Institute 1955)

al-Kharbūtli, ʿAlī Ḥusnī al-Islām wa Ahl al-Dhimma [Islam and the Protected People] (Cairo. Graduate School of Islamic Studies 1969)

Khitrowo, B.de Itinéraires Russes en Orient (Geneva. Fick 1884/1889)

Khouri, Shemādah, and Nikola Khouri Khulāsatu Tārīkh Kanīsat Urushalīm al-Urthūdhoksiyyah [A Short History of the Orthodox Church of Jerusalem](Jerusalem. The Holy City Press 1925)

Khoury, Paul Paul d'Antioche (Beirut. Impr.Catholique 1964)

Kinnamos, John (ca.1143-ca.1190) Epitomè tōn Katorthōmatōn [History of the Deeds of the Comneni] (ed) A.Meineke CSHB (Bonn 1836), and also in MPG, vol. 133

Kohler, Charles Chartes de l'Abbaye de N.-D. de la Vallée de Josaphat (Paris 1900) see Appendix Four

_____, "Rerum et personarum quae in Actis Sanctorum Bollandistis ad Orientem Latinum spectant" (ROL 5. 1897) 460-561

Koikylides, Kleopas Perì tōn en Palestinè Archaíōn kai Neōterōn Hellènikōn Monasteriōn (Jerusalem. Greek Convent Press 1906)

_____, and Iōannos Phōkolidos Archaia Latinika, Hellènika, Rhōssika, ke Gallika tina Hodoiporika e Proskunetária tès Hagías Gès [Certain Ancient Latin, Greek, Russian, and French Itineraries, or, Pilgrim Sites of the Holy Land](Jerusalem. Greek Convent Press 1912)

Kopp, Clement "Pèlerinages aux Lieux saints antérieurs aux Croisades" (art) in Supplément au Dictionnaire de la Bible (Paris. Letouzey 1963) vol. 7 [= fasc. 30] cols. 589-605

Kühn, Fritz Geschichte des ersten lateinischen Patriarchen von Jerusalem (Leipzig. Brockhaus 1886)

Kurtz, E. (Review of) A.Dmitrijevskij Die Klosterregeln des Hl.Sabbas [in Russian](1890) in (BZ 3.1894) 167-170

Lake, Kirsopp "The Greek Monasteries in South Italy" (Journal of Theological Studies 4. 1903) and (5. 1904) 22-41, 189-202

Lammens, Henri La Syrie, précis historique (Beirut. Imprim. Catholique 1921) 2 vols.

_____, "Les Samaritains sous Yazid" essay No.23 of Études sur le règne de calife Yazid Ier (Beirut. Imprim.Catholique 1912)[= Mélanges de la faculté orientale de l'Univ. de St Joseph 5:2. 1912] 689-711

LaMonte, John L. "A Register of the Cartulary of the Cathedral of Santa Sophia of Nicosia" (Byzantion 5.1930) 439-522

_____, Feudal Monarchy in the Latin Kingdom of Jerusalem 1100-1291 (Cambridge, Mass. 1932)[Monographs of the Medieval Academy of America, 4]

_____, "To What Extent was the Byzantine Empire the Suzerain of the Latin Crusading States ?" (Byzantion 7.1932) 253-264

_____, "The Significance of the Crusaders' States in Medieval History" (Byzantion 15. 1940/41) 300-315

_____, "Three Questions concerning the Assises de Jerusalem" (Byzantina Metabyzantina I:1. 1946) 201-211

Lane-Poole, Stanley Studies in a Mosque (London. W H Allen 1883)

Langlois, Victor Cartulaire de la Chancellerie royale des Roupéniens de la petite Arménie (Venice. St Lazare 1863)

Lansdell, Henry The Sacred Tenth (London SPCK 1906) 2 vols

Laoust, Henri Essai sur les doctrines sociales et politiques de Taqi al-Din Ahmad ibn Taymiyya (Cairo. Inst. franc.d'archaeol. orientale 1939)

Lapidus, Ira M. "The Conversion of Egypt to Islam" in Israel Oriental Studies - II (Tel-Aviv University 1972) 248-262

Laurent, Jacques L'Arménie entre Byzance et l'Islam depuis la conquête arabe jusqu'en 886 (Paris. Fontemoing 1919) [= Bibliothèque des Écoles françaises d'Athènes et de Rome, 117]

_____, "Des Grecs aux Croisés; étude sur l'histoire d'Édesse entre 1071 et 1098" (Byzantion 1.1924) 367-449

Laurent, Vitalien "Les Bulles métriques dans la Sigillographie byzantine" (Hellènika 4.1931) (5.1932) (6.1933) (7.1934)

_____, "La Croisade et la question d'Orient sous le pontificat de Grégoire X" (Rev. Hist. du Sud-Est Européen 22.1945) 105-137

_____, "L'Idée de Guerre Sainte et la Tradition byzantine" (Rev. Hist. de Sud-Est-Européen 23.1946) 71-98

Laurent, Vitalien "La Succession épiscopale des derniers archevêques grecs de Chypre 1152-1260" (REB 7.1949) 33-41

_____, "L'Oeuvre canonique du concile in Trullo 691-2, source primaire du droit de l'église orientale" (REB 23.1965) 7-41

_____, "L'Église de l'Italie méridionale entre Rome et Byzance à la veille de la conquête normande" in La Chiesa greca in Italia dall' viii al'xv secolo (Padua. Antenore 1973) 5-24 [= Atti del Convegno storico intereccleslale, Bari 1969; vol. I] [Italia Sacra; Studi e documenti di Storia ecclesiastica, 20]

_____, Le Corpus des Sceaux de l'empire byzantin (Paris CNRS) vol. 5 l'Église (1963-1972) 3 vols

LaBras, Gabriel Institutions écclésiastiques de la Chrétienté medievale (Paris. Sloud & Gay 1959, 1964) [= Histoire de l'Église (eds) Fliche & Martin, vol.12, part I, Books 1-6]

Leib, Bernard Rome, Kiev et Byzance à la fin du xi siècle; rapports religieux des Latins et des Greco-russes sous le pontificat d'Urbain II 1088-1099 (Paris. A Picard 1924)

Lemerle, Paul "Byzance et la croisade" in Storia del Medioevo (Florence. Sansoni 1955) 595-620 [= Relazioni del X Congresso inter--nazionale di scienze storiche, 3]

Leontios, Patriarch of Jerusalem and abbot of the monastery of St John the Theologian, Patmos (d. ca. 1185) Bios by Theodosius Goudela of Constantinople (scr. ca. 1200); Codex Patmiakès gr. 187, f.1-53, and printed in Logoi panègyrikoi eis tou...archiepiskópou Philadelpheías Makaríou tou Chrysokephálou (Kosmopolis [= Vienna ?] 1793) 380-434. Modernized Greek version in Neon Eklogion periechon Bious Axiologous diaphorōn hagiōn (Enetièsis. N Glykeos of Iōanninos 1803) 283-302

Lepointe, G. "Dîme" (art) in DDC IV: 1231-1244

LaQuien, Michel Oriens Christianus (Paris 1740) 3 vols. Reprint (Graz. Akademische Verlag 1958)

LeStrange, Guy Palestine under the Moslems (London. Palestine Exploration Fund. A D Watt 1890) Reprint (Beirut. Khayats 1965)

Leunclavius, J. Ius Canonicum graeco-romanum, reprinted in MPG, vol.119

Lichtheim, Miriam "Autonomy versus Unity in the Christian East" in (ed) Lynn White The Transformation of the Roman World (Berkeley Univ. California 1967) 119-146

Lüders, Anneliese Die Kreuzzüge in Urteil syrischer und armenischer Quellen (Berlin. Akademie Verlag 1964)[Berliner byzant. Arbeiten,29]

Macarius, St., Vita, in Acta SS Aprili - I, under 10 April

Macomber, William "The Authority of the Catholicos-Patriarch of Seleucia-Ctesiphon" in I Patriarcati Orientali nel primo millennio (ed) I. Žužek (Rome 1968) 179-200 [= Orientalia Christiana Analecta, 181]

Magoulias, Harry "A Study in Roman Catholic and Greek Orthodox Church Relations in the Island on Cyprus 1196-1360" (Greek Orthodox Theological Review 10.1964) 75-106

Mai, Angelo Scriptorum Vetarum Nova Collectio (Rome 1825-1838) 10 vols. (volume 10 contains most of the canonical material)

Mann, Jacob The Jews in Egypt and in Palestine under the Fatimid Caliphs (Oxford 1920-1922) 2 vols. Reprint (New York. Ktav 1970)

al-Maqrīzī, Abū'l-Abbās...Taqī'l-dīn (1364-1442) al-Khitāt [The Plans] (Cairo 1898) Reprint (Cairo 1959). (tr) U Bourriant Description topographique et historique de l'Égypte (Paris. Leroux 1895-1900) [Memoires Mission archéologique française au Caire, 17]

_____, al-Ittiʿāz al-Hunafā [Advice of the Orthodox] (ed) Jamāl al-dīn al-Shayāl (Cairo. Dar al-Fikr al-Arab 1948)

_____, al-Sulūk li-Maʿrifah Duwal al-Mulūk [Manners of the Lore of Kingly Regimes] (ed) M Ziyadeh (Cairo 1934-36), and (tr) Edgar Blochet Histoire d'Égypte de Makrizi (Paris. Leroux 1908) [= extraits de ROL 1898-1908]

Mari ibn Sulayman, Amr ibn Mattā, and Sliba Iohannis (14th cent. and later) Akhbār fi-Tārikhah kursi'l-mashriq min Kitāb al-Majdal [Chronicon et Liber Turris] (ed/tr) Henricus Gismondi Maris Amri & Slibae de Patriarchis Nestorianorum Commentaria (Rome.deLuigi 1896-1899)

Martin, Rev. "Les premiers princes croisés et les syriens jacobites de Jérusalem" (JA ser.8:12. 1888) 471-490; (8:13.1889) 33-80

Martin, V. "Pape: IV - le pape et les églises orientales" (art) in DTC (Paris 1932) XI:2, cols. 1928-1944

MasLatrie, J M J Louis, le comte de Histoire de l'Île de Chypre sous le règne de la Maison du Lusignan (Paris 1852-1861) 3 vols

_____, (ed) Chronique d'Ernoul et de Bernard le Trésorier (Paris. Société de l'Histoire de France 1871)

_____, "Histoire des archevêques latins de l'Île de Chypre"(AOL 2.1884)207-328

_____, "Les patriarchs latins de Jérusalem" (ROL 2.1894) 16-41

Massou, J "Le pouvoir legislatif du patriarche copte d'Alexandrie" in I Patriarcati Orientali (ed) I.Žužek (Rome 1968) 87-113

Matthew of Edessa (d.ca.1136) Chronicle, History of Armenia.(ed/tr) Ed., Dulaurier in RHC:Armen.I. And E. Dulaurier Chronique de Matthieu d'Edèsse avec la continuation de Grégoire le prêtre (Paris. Durand 1858). Reprint (Amsterdam. Philo 1970)

Maupied, François Iuris Canonici Universi Compendium (Paris. Migne 1863) 2 vols.

Mauro, Antonius De Ecclesiae Tributorum Iure in Vigenti Disciplina Rome. Desclee 1966)

al-Māwardī, Abū'l-Ḥasan 'Alī (975-1058) al-Aḥkām al-Sulṭāniya [The Laws of Governance] (ed)M.Enger Mawerdii Constitutiones politicae (Bonn 1853). (tr) Edmond Fagnan Les statutes gouvernementaux (Algiers 1915)

Mayer, Ann Elizabeth "Stratification, Authority, and Justice in the Law of the Islamic Middle East; a bibliographical essay" (Bulletin of the British Society for Middle Eastern Studies. 4:2.1977)82-91, (5:1.1978) 3-19

Mayer, Hans Eberhard Bibliographie zur Geschichte der Kreuzzüge (Hannover. Hahn. 1960)

_____, Bistümer, Klöster,und Stifte im Königreich Jerusalem (Stuttgart. Hiersemann 1977) [= Schriften der Mon.Germ.Hist.,26]

_____, "Latins, Muslims and Greeks in the Latin Kingdom of Jerusalem" (History 63:298. 1978) 175-192

Mazal, Otto (ed) Die Prooimiender byzantinischen Patriarchenurkunden (Vienna. Österr.Akad. Wissen. 1974) [= Byzant. Vindobonensia; Inst. f.Byzantinistik des Univ. Wien, 7]

Mécérian, Jean Histoire et Institutions de l'Église arménienne (Beirut Impr. Catholique 1965)[Univ. St Joseph, recherches orientales,30]

Medawar, Pierre "Consecrations épiscopales" (Le Lien 41.1976) 67-74

Meijers, Eduard Maurits "Contribution à l'histoire du droit international privé et penal en France et dans les Pays-bas aux xiii & xiv siècles" and "Nouvelle contribution à la formation du principe de réalité" in (trs)Timbal and Metman Études d'Histoire de Droit International Privé (Paris. CNRS 1967)

Meinardus, Otto F A The Copts in Jerusalem (Cairo. Commission of Oecumenical Affairs of the See of Alexandria 1960)

_____, "A Brief Introduction to the History and Theology of the Coptic Church" (St Vladimir's Seminary Quarterly 6.1962) 139-155

_____, "Attitudes of the Orthodox Copts towards the Islamic State" (Ostkirchliche Studien 13.1964) 153-170

_____, "The Ethiopians in Jerusalem" (Zeit. f. Kirchengeschichte 76. 1965) 112-147

_____, "The Nestorians in Egypt and Jerusalem" (Oriens Christianus 51.1967) 112-129

_____, "Election Procedures for the Patriarchal Throne of Alexandria" (Ostkirchliche Studien 16.1967) 132-149

_____, "Historical Notes on the Laura of Mar Saba" (ECR 2.1969)392-401

_____, "Notes on Some non-Byzantine Monasteries " (ECR 3.1970)50-58

Mèliaras, Kallistos To en Hierousalèm monastèrion tou Hagiou Iōannou tou Prodromou kai Baptistou (Jerusalem. Greek Convent Press 1923) [St John Baptist monastery in Jerusalem]

_____, Hoi Hagioi Topoi en Palaistinē kai ta ep'autōn dikaia tou Hellenikou Ethnous [The Holy Places of Palestine and the Rights of the Greek Nation] (Jerusalem. Greek Convent Press 1928-33)2 vols

Ménager, L R "Le Byzantinisation religieuse de l'Italie méridionale et la politique monastique des Normands d'Italie" (Revue d'histoire écclesiastique 53.1958)747-774, (54.1959) 5-40

Michael the Syrian, Patriarch of Antioch (1166-1199), Chronicon (ed/tr) J B Chabot Chronique de Michel le Syrien (Paris 1899-1904)4 vols. Reprint (Brussels 1963)

Michel, Anton Amalfi und Jerusalem im griechischen Kirchenstreit, 1054-1090 (Rome 1939) [Orientalia Christiana Analecta, 121]

Miklosich, Franz Ritter von, and Joseph Müller (eds) Acta et diplomata graeca medii aevi sacra et profana (Vienna 1860-1890) 6 vols. Reprint (Aalen. Scientia Verlag 1968)

Mingana, Alphonse "A Charter of Protection Granted to the Nestorian Church in AD 1138 by Muktafi II, caliph of Baghdad" (Bulletin of the John Rylands Library, Manchester 1926) 127-133

Mittman, Siegfried Beiträge zur Siedlungs- und Territorialgeschichte des nördlichen Ostjordanlandes (Wiesbaden. Harrassowitz 1970) [Abhandlungen des Deutschen Palästinavereins, 2]

Mittwoch, Eugen "Muslimische fetwas über die Samaritaner" (Orientalistiche Literaturzeitung 29.1926) cols.845-849

Montreuil, Jean A B Histoire du droit byzantin (1843-46) 3 vols. Reprint (Osnabrück. Zeller 1966) and (Aalen. Scientia Verlag 1973)

Morony, Michael G "Religious Communities in late Sassanian and early Muslim Iraq" (JESHO 17.1974) 113-135

_____, "The Effects of the Muslim Conquest on the Persian population of Iraq" (Iran 14.1976) 41-59

Moschopoulos, Nicephore La Terre Sainte; éssai sur l'histoire politique et diplomatique des Lieux Saints de la Chrétienté (Athens 1956)

Moss, C "A Syriac Patristic Manuscript" (Jour. of Theological Studies 30. 1929) 249-254

Mounayer, Joseph Les Synodes Syriens Jacobites (Beirut 1964)

al-Muqaddasi, Shams al-Din (d. ca. 985) Ahsan al-taqāsīm fī ma'arifat al-Aqālīm, (ed) M J deGoeje Descriptio imperii Moslemici (Leiden Brill 1906) 2nd ed. (tr) André Miquel La meilleure repartition pour la connaissance des provinces (Damascus. Inst. française 1963)

Musset, Henri Histoire du Christianisme, specialement en Orient (Harissa. St Paul 1948) 3 vols. [vol. I only cited]

Nasir i Khusraw Sefer Nameh (ca. 1046-47) (tr) Guy LeStrange Diary of a Journey through Syria and Palestine, PPTS (1893)

Nasrallah, Joseph "Le manuscrit No. 180 de la Bibliothèque orientale . de Beyrouth" (POC 13.1963) 221-233

_____, "Un auteur Antiochien du xi siècle, Nicon de la Montagne Noire" (POC 19.1969) 150-161

_____, "Syriens et Suriens" in Symposium Syriacum 1972 (Rome 1974) 487-503 [= Orientalia Christiana Analecta, 197]

_____, "Le Patriarcat d'Antioche est-il resté après 1054 en communion avec Rome ?" (Istina 1976:4) 374-411

_____, "l'Église melchite en Iraq, en Perse et dans l'Asie centrale" (POC 26. 1976) 16-33, 319-353; (27.1977) 71-78

_____, "Les historiens musulmans, source de l'histoire de l'église melchite" (Bulletin des Études orientales 30. 1978) 101-117

_____, "Acre chrétienne du début de la prédication de l'Évangile aux Croisades" (POC 29.1979) 301-305

Nau, François "Le croisé lorrain Godefroy d'Ascha, d'après deux documents syriaques du xii siècle" (JA IX:14. 1899) 421-431

_____, Les Canons (1906), see Jacob of Edessa. Also published as "Choix des canons ecclésiastiques syriaques" (Le canoniste contemp--orain 28.1905) 641-653, 705-711; (29. 1906) 5-13

al-Nawawī, Abū Zakarīya Muḥī'l-Dīn (1233-1277) Kitāb al-Majmū'a al-muhaddab [major collection of fetwa] (ed) Zakariya 'Alī Yūsuf (Cairo 1966-1971) 18 vols.

_____, Kitāb al-Manthūrāt wa'Ujūn al-masā'il al-mūhimmāt [a collection of fetwa made by...] Ibn al-'Aṭṭār (d. 1324) as Fatāwa al-Imām al-Nawawī al-Musammāt bi'l-Masā'il al-Manthūrah (Aleppo. Arab Press 1971)

Neophyte Encleistra, St., of Cyprus (1134-1214) Peri tōn katà tèn Choran Kýprou Skaiōn [Concerning the Evils which have befallen Cyprus] in RHC: Graeca I, 559-563 ; and in MPG vol. 135, cols. 495-502

_____, Enkōmion eis...Saban ton Megan [In Praise of St Sabas] (ed) Io. P. Tsiknopoullos "Neophytou Presbyterou Egkōmion eis ton theion kai theophoron patera hemōn Saban ton Megan" (Nea Sion 46.1951)172-181

_____, Panegyrikon and selected Enkōmioi (ed) H Delahaye, in "Saints de Chypre" (Analecta Bollandiana 26. 1907) 161-301
Also see articles by Petit and Tsiknopoullos

Neumeyer, Karl Die gemeinrechtliche Entwickelung des internationalen Privat- und Strafrechts bis Bartolus (Munich. Schweitzer) I - Die Geltung der Stammesrechte in Italien (1901); II - Die gemein--rechtliche Entwickelung bis zur Mitte des 13 Jahrhunderts (1916) Reprint (Berlin. Schweitzer 1969)

Nicon, St., abbot of the abbey of St Paul of the Forest (fl. 980) Acta SS, Octob. XI, 704-712. See also Mai SVNC IV:ii, 159, 166

Nikon of Black Mountain (1025-1091) Pandekta [Summary of Laws] (tr) Carolus deClercq Les Textes Juridiques dans les Pandectes de Nicon de la Montagne Noire (Venice 1942) [CCO II:30] and also C. deClercq "Les Pandectes de Nicon de la Montagne Noire" (Archives de l'histoire du Droit oriental 4.1959) 187-203

_____, Taktikon [Collection of church canons] (ed) Vl. Nik. Beneševič Taktikon Nikona Cernogorza (Petrograd 1917) [has only Chpts. 1-4]

_____, Excerpts of minor writings, in MPG vol. 127, cols. 513-526

Norden, Walter Das Papsttum und Byzanz; die Trennung der beiden Mächte und das Problem ihrer Wiedervereinigung (Berlin 1903) Reprint (New York. Burt Franklin 1958)

Noth, Albrecht Heiliger Krieg und Heiliger Kampf im Islam und Christ-entums (Bonn. Röhrscheid 1966)[= Bonner historische Forschungen, 28]

al-Nuwayri, Shihāb al-Dīn ibn Aḥmad Ḥamad ibn ʿAbd al-Wahhāb(1282-1332) Kitāb Nihāyat al-ʿArab fi Funūn al-ʿAdab [The Heights of Culture in the Variety of Belles-lettres](Cairo 1923-1933) esp. vol. 8

Odeh Issa, Anton Les minorités chrétiennes de Palestine à travers les siècles; étude historico-juridique et developpement modern international (Rome. Pont.Lateran Univ.1975) and (Jerusalem. Franciscan Press 1976)

Oderic Vitalis (1075-1141)[Ecclesiastical History] in MPL vol.188, esp. Pars III, Libri ix-xiii. Also (ed/tr) Marjorie Chibnall (Oxford 1975) esp. vol.5, Book IX.

Oikonomides, Nicolas "l'Évolution de l'Organisation administrative de l'Empire byzantin au xi siècle" in (ed) Paul Lemerle Travaux et Mémoires VI (Paris 1976) 125-152 [Centre de recherches d'histoire et civilisation de Byzance]

Ormanian, Malachai L'Église arménienne (Paris. Leroux 1910) Reprint (Lebanon 1954); (tr) G Marcar Gregory The Church of Armenia (London Mowbray 1912) Reprint (London. Mowbray 1955)

Ostrogorsky, George History of the Byzantine State (New Brunswick Rutgers Univ. Press 1957)

Otto, bishop of Freising (ca. 1110-1158) Chronica sive Historia de duabus civitatibus (ed) A Hofmeister in MGH: Script. rerum German.(1912) and (ed) W Lammers & (tr) A Schmidt Chronik oder Die Geschichte der Zwei Staaten (Berlin. Rütten & Loeing 1960) [= Quellen zur Deutschen Geschichte des Mittelalters, 16]

Palaska, Stephanos Hè Palaistinè allote Chōra hellènikè [Palestine, Once a Greek Country] (Jerusalem. Greek Convent Press 1950)

Papachryssanthos, Denise "La vie monastique dans les campagnes byzantines du xiii-xi siècle" (Byzantion 43.1973) 158-180

Papadopoulos, Chrysostomos Historía tès Ekklèsías Hierosolymōn [History of the Church of Jerusalem] (Jerusalem & Alexandria 1910). 2nd ed. (rev) Gregorios Papamichael (Athens 1970)

_____, Historía tès Ekklèsías Antiocheías [History of the Church of Antioch] (ed) Gregorios Papamichael (Alexandria 1951)

_____, "Hè Ekklèsía Antiocheías epì tès Kuriarchías tōn Seltzoukidōn kai tōn Fragkōn en Suría" [The Church of Antioch under Seljuk and Frankish Rule] (Theología 16. 1938) 97-117, 193-207

Papadopoulos, Soteria "Ioannes Merkouropoulos" (art) in TEE, VII, col.13

Papadopoulos, Styl. G. "Ioannes Metr. tou Tyrou kai Patr. Hier." (art) in TEE, VII, col. 10

Papadopoulos-Kerameòs, A Hièrosolymitikè Bibliothèkè, ètoi Katalogos tōn en tais Bibliothèkais tou Orthodoxou Patriarchikou tōn Hierosolymōn (St Petersburk. Kirshbaum 1891-1915) 5 vols.

_____, Analekta Hierosolymitikès Stachylogías (St Petersburg. Kirshbaum 1891-1898) 5 vols. Reprint (Brussels 1963)

Paret, Rudi "Sure II 256 - Lā ikrāha fī d'dīni - Toleranz oder Resignation?" (Der Islam 45. 1969) 299-300

Patterson, R B "The Early Existence of the Funda and Catena in the 12th century Latin Kingdom of Jerusalem" (Speculum 39.1964) 474-477

Peeters, Paul "Un témoignage autographe sur le siège d'Antioche par les Croisés en 1098" (1946 art.) reprinted in Recherches d'histoire et de philologie orientale (Brussels. Bollandists 1951) vol. 2, pp.164--180 [= Subsidia hagiographica, 27]

_____, "Histoire monastiques géorgiennes" (1919), see George the Hagiorite

Peradze, Gregory "An account of the Georgian monks and monasteries in Palestine" (Georgica 1937: 4-5) 181-246

Petit, L. "Vie et Ouvrages de Néophyte le Reclus" (EO 2.1898) 257-268, 372

_____, "Jean de Jérusalem" (art) in DTC, VIII, col. 766-767

Petrides, S "Le monastère des Spoudaei à Jérusalem, et les Spoudaei de Constantinople" (EO 4.1900) 225-231

Phokylidos, Iōannos Hè Hiera Lavra Saba tou Hègiasménou, or, Hè Gerara Lavra [History of the Lavra of St Sabbas] (Alexandria 1927)

Phōkas, Iōannes, monk of Crete Ekphrasis [Description] (1184-85) Greek original Iōannides and Koikylidos; Latin in MPL vol.155, and English (tr) by Aubrey Stewart in PPTS (1897)

Photios, Patriarch of Constantinople (between 858 and 886) Nomocanon (ed) C Iustellus, and (tr) H Agylaeus Nomocanon Photii Patr. CPani cum commentariis Theodori Balsamonis (Paris. Pacard 1615) 2 vols in 1

Phōtopoulos, Philemon "Perì Skevophylakōn tou Naou tès Anastaséōs" [Concerning the Skevophylaks of the Church of the Holy Sepulcher] (Nea Sion 7.1910) 320-332

Pinès, Schlomo "La Loi Naturelle et la Société; la doctrine politico--théologique d'ibn Zur'a, philosophe chrétien de Baghdad" in (ed) Uriel Heyd Studies in Islamic History and Civilization (Jerusalem Hebrew Univ. 1961) 154-190 [= Scripta Hierosolymitana, 9]

_____, The Jewish Christians and the Early Centuries of Christianity (Jerusalem 1968) [Proceedings of the Israel Academy of Science & Humanities (1966) II:13]

Poliak, A N "l'Arabisation de l'Orient sémitique" (REI 12 .138) 35-63

Pothier, R J Pandectae, see Justinian

Poznański, Samuel Babylonische Geonim im nachgaonäischer Zeitalter (Berlin. Mayer & Müller 1914) [Schriften der Lehranstalt für die Wissenschaft des Judentums, Bd.iv, Heft 1.2]

Prawer, Joshua "The Settlement of the Latins in Jerusalem"(Speculum 24. 1952) 490-503

_____, "Étude de quelques problèmes agraires et sociaux d'une seigneurie croisée au xiii siècle"(Byzantion 22.1952) 5-61

_____, "Étude préliminaire sur les sources et la composition du Livre des Assises des Bourgeois" (Revue historique de droit français et étranger 32. 1954) 198-227, 358-382

_____, Histoire du royaume latin de Jérusalem(tr) G Nahon (Paris CNRS 1969-70) 2 vols. 2nd ed.(1975)[original Hebrew publ.1963]

_____, Estates, Communities and the Constitution of the Latin Kingdom (Jerusalem. Hebrew Univ. 1966)[Proceedings of the Israel Academy of Science & Humanities, II:6]

_____, The Latin Kingdom of Jerusalem; European Colonialism in the Middle Ages (London. Weidenfeld & Nicholson 1972) Also published as The World of the Crusaders, and The Crusaders' Kingdom (New York.Praeger 1972)

_____, "The Armenians in Jerusalem under the Crusaders" in (ed) M Stone Armenian and Biblical Studies (Jerusalem. St James Press 1976)222-236

_____, "Crusader Cities" in The Medieval City; Essays in Honor of Robert S. Lopez (New Haven. Yale 1977) 179-200

Prawer, Joshua "Notes on the History of the Jews in the Latin Kingdom" (tr) Michael Gordon (Immanuel 9.1979) 81-86 [orig. Hebrew appeared in Shalem 2.1976]

_____, Crusader Institutions (Oxford 1980)

Prutz, Hans Kulturgeschichte der Kreuzzuge (Berlin 1883) Reprint (Hildescheim. Olms 1964)

Purcell , Maureen "Changing Views of Crusade in the 13th Century" (Journal of Religious History [Australia] 7.1972/73) 3-19

al-Qalānisī, 'Abū'l-Ya'lā Ḥamza al-Tamīmī, Ibn (1073-1160) Dhayl Tārīkh Dimašq (ed) H F Amedroz (Leiden. Brill 1908); (tr) Roger de Tourneau Damas de 1075 à 1154 (Damascus. Institut français 1952)

al-Qalqashandī, 'Aḥmad ibn 'Alī (1355-1418) Kitāb Ṣubḥ al-A'shā fī Ṣinā'at al-Inshā' (Cairo 1913) 14 vols

Radulf Cadomensi Gesta Tancredi (scr.1096-1105) in RHC: Hist. Occid. III, and in MPL, vol.155

Rahmani, L Y "On some medieval antiquities from the Holy Land" (Israel Exploration Journal 21. 1971) 55-59

Raimund de Aguilers Historia Francorum qui ceperunt Iherusalem (scr.1097-99) in RHC: Hist.Occid.III; and (tr) J H Hill & L L Hill Raymond d'Aguilers (Philadelphia. American Philosophical Society 1968)

al-Rais, Muḥammad Ḍiyā' al-Dīn al-Kharāj wa'l-Nuẓum al-Mālīyah [The Land Tax and its Fiscal Status] (Cairo 1969)

Regesten der Kaiserurkunden des Oströmischen Reiches von 565 bis zum 1453 (ed) Franz Dölger (Munich/Berlin. Oldenbourg [vols.i-iii] and C H Beck [vols.iv-v] 1924-1968) esp. fasc. ii (1925)

Les Regestes du Actes du Patriarcat de Constantinople; series 1 - Le Patriarcat byzantin; vol. 1 - Les Actes des Patriarches (ed) V.Grumel for fasc. 1-iii (Istanbul. Assumptionists 1932-1947); (eds) V.Laurent and J. Darrouzès for fasc.iv-v (Paris. Institut français des études byzantins 1971-1977)

Répetoire chronologique d'épigraphie arabe (Cairo. Impr. Inst. français 1936-37) vols. 7-9

Rey, Edouard Les Familles d'Outre-Mer de duCange (Paris. Impr. Impériale 1869)

_____, Les Colonies franques de Syrie aux xii^e et xiii^e siècles (Paris. Picard 1883)

Rey, Edouard "Les Seigneurs de Mont-réal et de la Terre d'Outre le Jourdain" (ROL 4.1896) 19-24

_____, "Les Dignitaires de la Principauté d'Antioche" (ROL 8.1901)116-157

Rezáč, Giovanni "Sur l'extension du pouvoir des Patriarches et, en général, des églises orientales sur les fidèles de leur rite" (tr) M Carbonel (Concilium [Fr.ed.] 48.1969) 103-114

Rhallès, G A, & M Potlès Sýntagma tōn Theíōn kai Hierōn Kanónōn (Athens. Chartophylakos 1852-59) 6 vols.

Riant, le comte "Inventaire critique des lettres historiques des croisades" (AOL 1.1881) 1-224

_____, Études sur l'histoire de l'église de Bethléem (Geneva Impr. Inst. Royal des Sourds-Muets 1889)

_____, "Éclaircissements sur l'église de Bethléem-Ascalon" (ROL 1.1893) 140-160, 381-412, 475-525; (2. 1894) 35-72

Richard, Jean Le Comté de Tripoli sous la dynastie Toulousaine (Paris. Geuthner 1945) [Bibl. archéol. & historique, 39]

_____, "La papauté et les missions catholiques en Orient au moyen age" (Mélanges d'archéologie et d'histoire de l'École française de Rome 58. 1941/46) 248-266

_____, "Note sur l'archdiocèse d'Apamée et les conquêtes de Raymond de saint-Gilles en Syrie du nord" (Syria 25.1946/48) 103-108

_____, La Royaume Latin du Jérusalem (Paris. PUF 1953) (Eng.tr) Janet Shirley The Latin Kingdom of Jerusalem (Amsterdam. North-Holland 1979)

_____, "Quelques textes sur les premiers temps de l'église latine de Jérusalem" in Recueil des Travaux offert à M. Clovis Brunel (Paris 1955) vol. II, pp.420-430 [= Mémoires & documents de l'École des Chartes, 12]

_____, "La papauté et la direction de la premier Croisade" (Journal des Savants 1960) 49-58

_____, Chypre sous les Lusignans; documents Chypriotes des Archives du Vatican xiv & xv siècles (Paris. Geuthner 1962) [Bibl.archéol. & historique, 73]

_____, "Le peuplement latin et syrien en Chypre au xiii siècle" (Byzant. Forschungen 7. 1979) 157-173

Riedel, Wilhelm Kirchenrechtsquellen des Patriarchats Alexandrien (Leipzig. Deichert 1900)

Riley-Smith, Jonathan "Some lesser officials in Latin Syria" (English Historical Review 342. 1972) 1-26

_____, The Feudal Nobility of the Latin Kingdom of Jerusalem (London Macmillan 1973)

_____, "The Survival in Latin Palestine of Muslim Administration" in (ed) P M Holt The Eastern Mediterranean Lands in the Period of the Crusades (Warminster. Aris & Philipps 1977) 9-22

_____, "Latin Titular Bishops in Palestine and Syria 1137-1291" (Catholic Historical Review 64. 1978) 1-15

Rivera, Myrta Ibn Hazm on Christianity; the Polemics of an 11th century European Muslim (MA Thesis. Hartford Seminary Foundation 1968)

Röhricht, Reinhold "Studien zur mittelalterlichen Geographie und Topographie Syriens" (ZDPV 10.1887) 195-345

_____, "Syria Sacra" (ZDPV 10. 1887) 1-48; (11.1888) 139-142

_____, Regesta Regni Hiersolymitani 1097-1291 (Innsbruck. Wagner 1893) and Additamentum (1904)

Rowe, Alan The Topography and History of Beth-Shan (Philadelphia. Univ. of Pennsylvania 1930)[= Publications of the Palestine section of the Museum of the Univ. of Pennsylvania, 1]

Rozière, Eugene de Cartulaire de l'Eglise de Saint Sépulchre de Jerusalem (Paris. Impr. nationale 1849) and in MPL, vol. 155

Rücker, A "Aus der Geschichte der jakobitischen Kirche von Edessa in der Zeit der Kreuzfahrer" (Oriens Christianus III.10.1935) 124-139

Runciman, Steven "The Byzantine Protectorate in the Holy Land in the XI century" (Byzantion 18.1948) 207-215

_____, A History of the Crusades (Cambridge Univ. Press 1951-54) 3 vols

_____, The Eastern Schism; a Study of the Papacy and the Eastern Churches during the XI and XII centuries (Oxford 1955)

_____, The Great Church in Captivity 1450-1821 (Cambridge 1968)

_____, "The First Crusade; Antioch to Ascalon" in (ed) Marshall Baldwin The First Hundred Years, Chpt. 10, pp.308-341 (Madison. Univ. of Wisconsin 1969) 2nd ed. [= A History of the Crusades (ed) Setton, 1]

Russell, Norman "Anselm of Havelberg and the Union of the Churches" (Sobornost/ECR 1.1979) 19-41; (2. 1980) 29-41

Russo, Francesco "L'Ultimo metropolita greco di Reggio" (Bollettino della Badia greca di Grottaferrata 7.1953) 163-178

Rustum, Asad Jibrail Al-Rūm fī siyāsatihim wa ṣilātihim bi'l-ʿArab [History of Byzantium and its Relations with Muslim States] (Beirut. Dar al-Makshuf 1955) 2 vols

_____, Kanīsatu'l-Madīnat-allah Anṭakiyat al-ʿUzma [A History of the Church of Antioch] (Beirut. al-Nur 1958) 2 vols

Sabas [Sava] of Peč, St. Vita (fl. 1230s) see C.Patrick Hankey

Sachau, Eduard (ed/tr) Syriasche Rechtsbücher(Berlin. Reimer 1907-14)3 vols

_____, Syrisch-römisches Rechtsbuch, see Syro-Roman Law Code

Saewulf of Malmesbury Relatio de Peregrinatione (1102) (tr) the Bishop of Clifton, PPTS

Salibi, K S "The Maronites of Lebanon under Frankish and Mamluk Rule" (Arabica 4. 1957) 288-303

_____, "The Maronite Church in the Middle Ages and its Union with Rome" (Oriens Christianus 42. 1958) 92-104

Ṣāliḥ ibn Yaḥyā Tārīkh Beirūt wa Akhbār al-ʿUmurā' al-Buḥturriyīn min Bani'l-Gharb [A History of Beirut] (scr. ca. 1436) (ed) L. Cheiko (al-Machriq 1.1898-2.1899). 2nd ed. corrected (Beirut Impr. catholique 1927)

Sauget, Joseph-Marie "Decisions canoniques du Patriarche Išo-barnūn encore inedites" (Apollinaris 35. 1962) 259-265

Sauvaire, Henry, see al-Ḥanbalī

Savramis, Demosthenes Zur Sociologie des byzantinische Mönchtums (Leiden. Brill 1962)

Schacht, Josef The Origins of Muhammedan Jurisprudence (Oxford 1950)

_____, "Pre-Islamic Background and Early Development of Jurisprudence" and "The Schools of Law and Later Developments of Jurisprudence" in (eds) M Khadduri and H Liebseny Law in the Middle East (Washington Middle East Institute 1955) vol. I, pp. 28-84

_____, "Droit byzantin et droit musulman" in Oriente ed Occidente nel Medio Evo (Rome 1957) 197-218 [= Atti dei Convegni, xii; Accademia nazion. dei Lincei; Convegno di Scienze morali, Storiche e Filologiche, 1956]

_____, An Introduction to Islamic Law (Oxford 1964)

Schaffhausen, Anonymous of De Reliquiis SS Crucis et Dom. Sepul. Scaphusam allatis (ca. 1125) in RHC: Hist. Occ. V, pp. 335-339

Schlumberger, Gustav "Trois sceaux et deux monnaies de l'époque des croisades" (AOL 1. 1881) 663-678

_____, "Sigillographie byzantine des ducs et catépans d'Antioche" (AOL 2. 1884) 423-438

_____, Sigillographie de l'empire byzantin (Paris. Leroux 1884)

_____, L'Epopée byzantin à la fin du Xème siècle (Paris 1896-1905) 3 vols. Reprint (Aalen. Scientia 1969)

_____, Sigillographie de l'Orient Latin (q.v.)

Schmalzgrüber, Franz Ius Ecclesiasticum Universum (1715). Reprint (Rome 1844) 6 vols. in 12

Schönborn, Ch. von "La primauté romain vue d'Orient pendant la querelle du monoénergisme & du monothélisme" (Istina 20. 1975) 476-490

Scylitzes, Ioannes, Curopalata (d. ca. 1081) Synopsis Historiarum (ed) Isaac Bekker CSHB (Bonn 1839) and in MPG vol. 122. Also (ed) Hans Thurn (NY & Berlin. DeGruyter 1973)

Segal, J B Edessa the Blessed City (Oxford 1970)

Selb, Walter "Le Livre Syro-Romain et l'Idée d'un coutumier de droit séculier orientalo-chrétien" in L'Orient Cristiano nella Storia della Civilta (Rome 1964) 329-342 [= Accad. nazion. dei Lincei, anno 361; Problemi attuali di scienza e di culture, 62]

_____, Zur Bedeutung des syrisch-römischen Rechtsbuches (Munich. 1964) [Münchener Beiträge zur Papyrusforschung und antiken Rechtsgesch--ichte, 49]

_____, "Römische Rechte und Östlich geprägte Gegenbenheiten" (JÖBG 14. 1965) 35-50

Serjeant, R B "The Constitution of Medina" (IQ 8. 1964) 3-16

Setton, Kenneth M The Papacy and the Levant (Philadelphia. Amer. Philo--sophical Society 1976) vol. I

_____, A History of the Crusades (gen.ed.) (1958-) see M. Baldwin

Severus ibn al-Muqaffa' (955-1003) and Continuators. Historia Patriarcharum Alexandrinarum (ed/tr) Basil Evetts, in PO vols 1,5,& 10. Continued by O H E Burmester, Y Abd al-Masih, & A Khater (Cairo. Société d'archaéologie copte 1943-1968)

Shaban, M A Islamic History AD 750-1055 a New Interpretation (Cambridge 1971)

Sharf, A Byzantine Jewry from Justinian to the Fourth Crusade (London Routledge & Kegan Paul 1971)

al-Shīrāzī, Abū Ishaq Ibrahīm (d. 1083) al-Majmūʿ [collected legal decisions] printed with commentary of al-Nawawi in the latter's al-Majmūʿ (q.v.)

_____, Kitāb al-Muhaddab fi Fiqh al-Imām al-Shāfiʿī [The Refined Book of the Law of the Imam al-Shafiʿi] (Cairo 1959. 2nd ed.) 2 vols

Sidarouss, Sésostris Des Patriarcats; les Patriarcats dans l'empire Ottoman et spécialement en Égypte (Paris. Rousseau 1907)

Sievers, Peter von "Military, Merchants, and Nomads; the Social Evolution of the Syrian Cities and Countryside during the Classical Period 780-969" (Der Islam 56. 1979) 212-244

Sigillographie de l'Orient Latin, by Gustave Schlumberger, Ferdinand Chalandon, and A. Blanchet (Paris. Geuthner 1943) [= Bibliographie archaéologique & historique, 37]

Sivan, Emmanuel "Notes sur la Situation des Chrétiens à l'époque ayyūbide" (Revue de l'histoire des religions 172. 1967) 117-130

_____, "Refugiés syro-palestiniens au temps des croisades" (REI 35. 1967) 135-147

Soloviev, A V "L'Influence du droit byzantin dans les pays orthodoxes" in Metodologie; Problemi generali (Florence. Sansoni 1955) 587-638 [= Relazioni del X Congresso internazionale di scienze storiche, 1]

Speight, R Marston "Christians in 9th century North Africa" (Islamochristiana 4. 1978) 47-65

Spinka, M. "Latin Church of the Early Crusades" (Church History 8.1939) 113-131

Spitzer, Schlomo "Die jüdische Gemeinde im Mittelalter; Institutionen, Kompetenzen, und Aufgaben" (Kairos 21. 1979) 48-59

Spuler, Bertold "Die west-syrische Kirche unter dem Islam" (Saeculum 9. 1958) 322-345

_____, Die Morgenländischen Kirchen (Leiden. Brill 1961-64) [= Handbuch der Orientalistik; I Abt., viii Bd., 2 Abschnitt]

_____, "Syrian Christians amidst their Muslim Compatriots" in (ed) Robert H Fisher A Tribute to Arthur Vööbus; Studies in Early Christian Literature (Chicago. Lutheran Scho. of Theology 1977) 365-372

Steinwenter, Arthur Das Recht der koptischen Urkunden (Munich 1955) [= Handbuch d. Altertumswissenschaft, X, 4:2]

Stiernon, Daniel "Basile de Reggio, le dernier metropolite grec de Calabre" (Rivista Storia della Chiesa in Italia 18.1964)189-226

Stouff, L. "Étude sur le principe de la personnalité des lois depuis les invasions barbares jusqu'au xii siècle" (Révue bourguignonne de l'enseignement supérieur 4.1894) 1-65, 273-310

Strehlke, Ernest (ed) Tabulae Ordinis Theutonici (Berlin 1869) Reprint (Toronto 1975)

al-Subki, Tāqī'l-Dīn 'Alī ibn 'Abd al-Kāfī (1284-1355) Takmilat al-Majmū' [Supplement to the Collected Works] in al-Nawawi Kitāb al-Majmū' al-Muhaddib, vol. 10 of (Cairo 1966-71) ed.

Sykoutris, I "Synodikos Tomos tès Eklogès tou Patriarchou Germanou tou Γ (1265-1266)" (Epeterìs Hetaireías Byzantinōn Spoudōn 9.1932) 178-212

Synodicon Orientale (8th-12th cent.) (ed/tr) Oscar Braun Das Buch der Synhados, oder Synodicon Orientale (Stuttgart/Wien 1900). Reprint (Amsterdam. Philo 1975); and (ed/tr) J.-B. Chabot Synodicon Orientale, ou Recueil des synodes Nestoriens (Paris. Impr. Nationale 1902) [= Notices et extraits des manuscrits de la Bibl. Nat., publiés par l'Acad. des inscriptions & belles-lettres, 37]

The Synodicon in the West Syriac Tradition (ed/tr) Arthur Vööbus (Louvain 1976) vol. II = CSCO, Scr. Syri, 163 & 164

Syro-Roman Law Code [Codex Syro-Romanus] (eds/trs) Karl Georg Bruns and Eduard Sachau Syrisch-römisches Rechtsbuch aus dem fünften Jahrhundert (Leipzig 1880). Reprint (Aalen. Scientia 1961). (Also see articles by W. Selb and E. Volterra.)

Talatinian, Basilio "Il Primato di Pietro e del Papa nella Chiesa Armena" in Il Primato e l'Unione della Chiesa nel medio oriente (Cairo. Centre Franciscain 1960) 217-353

Taylor, W R "A New Syriac Fragment dealing with Incidents in the Second Crusade" (Annual of the American Schools of Oriental Research 11. 1929/30) 120-130

Tăutu, Aloysius L. (ed) CCO, series III, vols. 1, 3, 6(q.v.)

Ter-Mikelian, Arśak Die armenische Kirche in ihren Beziehungen zur byzantinischen vom IV bis zum XIII Jahrhundert (Leipzig. Fock 1892)

Ter-Minassiantz, Edwand Die armenische Kirche in ihren Beziehungen zu den syrischen Kirchen bis zum Ende des XIII Jahrhunderts (Leipzig. Hinrich 1904)

Terzi di Lauria, Biagio Siria Sacra; Descrittione istorico-geografica, chronologico-topografica delle due chiefe Patriarcati Antiochia e Gerusalemme (Roma. Bernabò alle Muratte 1695)

Themelis, Timothy P. Hoi Hellènes en toís Hágiois Tópois (Athens. Theodōropoulos 1919). (French ver.) Les Grecs aux Lieux Saints (Jerusalem 1921)

Theoderic Libellus de Locis Sanctis (ca. 1172) (ed) Titus Tobler (1865) and (tr) Aubrey Stewart in PPTS. Also in MPL, vol. 155

Thropp, Palmer A Criticism of the Crusade; A Study of Public Opinion and the Crusade Propaganda (Amsterdam. Swets & Zeitlinger 1940)

Timothy I, Nestorian Patriarch (780-823), see Bidawid

Tobler, Titus Descriptiones Terrae Sanctae ex s. vii. ix. xii. & xv (Leipzig. Hinrich 1874)

_____, Itinera Hierosolymitana et Descriptiones Terrae Sanctae Latina lingue exerati, with Augustus Molinier (Geneva. Fick 1877-1885) 5 fascicles in 2 vols

Touliatos-Banker, Diane "The Asmatikos Orthros" Paper read at the Fourth Annual Byzantine Studies Conferences, 3-5 November 1978 at the University of Michigan, Ann Arbor

Tritton, Arthur Stanley The Caliphs and their non-Muslim Subjects (London/Bombay. Humphrey Milford for Oxford Univ. Press 1930) Reprint (London. Frank Cass 1970)

Tournebize, François (art) "Arménie" in DHGE, vol.IV (1930) cols.290-391

Tsiknopoullos, Iōannes Hē Egkleistra kai ho Hagios Neophytos [The Hermitage of St Neophyte of Cyprus] (Nicosia. Zavallis Press 1965]

Tyan, Émile Histoire de l'organisation judiciaire en pays d'Islam (Paris. Sirey 1938); 2nd ed. (Leiden.Bill 1960)

Typos kai Paradosis kai Nomos tès sebasmías Lauras tou hagiou Sabba [Typikon of the Lavra of Mar Saba] (ed) in E.Kurtz's review of A. Dmitrijevskij Die Klosterregeln des Hl. Sabbas (1890)[in Russian] in (BZ 3. 1894) 167-170

al-ʿUmarī, Abū'l-ʿAbbās Ahmad ibn Yahya ibn Fadlallah, Shihāb addīn (1301-1349) al-Taʿrīf bi'l-Muṣṭalaḥ al-Sharīf [Directory of Noble Titles] (Cairo 1894 ed.)

Usāma, ibn Murshid ibn Munqidh (d. 1186) al-Iʿtibār [Memoirs] Hartwig Derenbourg Ousāma ibn Mounkidh (1095-1188); Part I - Vie d'Ousāma (Paris. Leroux 1889); Part II [Arab text] (Paris. Leroux 1886). (Fr. tr.) in "Autobiographie d'Ousama ibn Murshid, dit Ibn Mounkidh" (ROL 2.1894) 327-565. (Eng.tr) by Philip K. Hitti Memoirs of Usama ibn Munqidh, an Arab-Syrian Gentleman and Warrior in the Period of the Crusades (New York. Columbia 1929)

Vacalopoulos, Apostolos The Origins of the Greek Nation; the Byzantine Period 1204-1461 (tr) Ian Moles (New Brunswick. Rutgers 1970)

Vailhé, Siméon "Les Laures de Saint Gérasime et de Calamon" (EO 2.1898/99) 106-119

_____, "Le province ecclésiastique d'Arabie" (EO 2.1898/99) 166-176

_____, Repétoire alphabétique des monastères de Palestine (Paris. Picard 1900) [= extraits de (ROC 4.1899) & (ROC 5. 1900)]

_____, "Une « Notitia Episcopatuum » d'Antioche du X siècle" (EO 10.1907)90-101

_____, "Formation du Patriarcat de Jérusalem" (EO 13.1910) 325-336

van den Brincken, Anna-Dorothee Die « Nationes Christianorum Orientalium » im Verständnis der lateinischen Historiographie (Cologne/Vienna. Böhlau 1973) [= Koloner hist. Abhand., 22]

Vasiliev, A "The Life of St Theodore of Edessa" (Byzantion 16.1942/43) pp. 165-225

_____, Byzance et les Arabes (tr) H. Grégoire, M. Canard, et al. (Brussels. Ed. de l'Institut de Philologie et d'Histoire orientale 1935, 1959, 1968) 3 vols. [= Corpus Bruxellense Historiae Byzantinae,1-3]

Villey, Michel La Croisade, essai sur la formation d'une théorie juridique (Paris. Vrin 1942)

Vincent, Hughues, see Abel, F.M.

de Vitry, Jacques [Jacobus de Vitriaco] (1160-1240) Historia Orientalis sive Hierosolymitanae, in Bongars Gesta Dei per Francos (q.v.), pp.1047-1145; and Chpts. 21-84, 92-99 (Eng.tr) by Aubrey Stewart in PPTS (1890)

_____, Epistolae (ed) R B C Huygens Lettres de Jacques de Vitry (Leiden. Brill 1960)

Voegelin, Eric Order and History: IV - The Ecumenic Age (Baton Rouge Louisiana State Univ. 1974)

Vogel, Cyrille "Unité de l'Église et pluralité des formes historiques d'organisation ecclésiastique, du iii au v siècle" in (eds) Y.Congar and B.-D. Dupuy L'Episcopat et l'Eglise Universelle (Paris. duCerf 1962) 591-636 [= Unam Sanctam, 39]

Volterra, Edoardo "Il libro siro-romano nelle recenti ricerche" in L'Orient Cristiano nella Storia della Civilta (Rome 1964) 297-328 [= Accad. nazionale dei Lincei, anno 361; Problemi attuali di scienza e di cultura, 62]

Vööbus, Arthur Syrische Kanonessammlungen; ein Beitrage zur Quellenkunde I - Westsyrische Originalurkunden (Louvain 1970)[= CSCO Subsidia 35,38]

_____, The Synodicon in the West Syriac Tradition (q.v.)

Vosté, J.-M. (ed/tr) Ordo iudiciorum ecclesiasticorum collectus, dispositus, ordinatus et compositus a Mar Abdisho, Metropolita Nisibis et Armeniae (Vatican 1940) CCO I, 15:2

Vryonis, Speros, Jr. The Decline of Medieval Hellenism in Asia Minor, and the Process of Islamization from the 11th to 15th century (Berkeley. Univ. of California 1971)

Walker, Paul E "The «Crusade» of John Tzimisces, in the light of new Arabic Evidence" (Byzantion 47. 1977) 301-327

Waltz, James "Historical Perspectives on «Early Missions» to Muslims" (Muslim World 61. 1971) 170-186

Weiss, André Manuel de droit international privé (Paris. Sirey 1925) 9th ed.

Wiet, Gaston L'Égypte arabe (Paris. Plon 1936-37) [= Histoire de la nation egyptienne (ed) G. Hanotaux, 4]

Wilkinson, John "Christian Pilgrims in Jerusalem during the Byzantine Period" (Palestine Exploration Quarterly 1976) 75-101

_____, Jerusalem Pilgrims before the Crusades (Warminster. Aris & Phillips 1977)

Will, Cornelius Acta et scripta quae de controversiis ecclesiae graecae et latinae saeculo xi composita extant (Leipzig. Elwert 1861) Reprint (Frankfurt a.Main. Minerva 1963)

William of Tyre (1095-1184) Historia Rerum in partibus transmarinis gestarum (ed) J.Bongars (q.v.)pp.625-1046, and (ed)Beugnot,in RHC:Hist.Occ.I:1-2. (Eng.tr.)Babcock and Krey History of Deeds done Beyond the Sea (New York. Columbia Univ. 1943) 2 vols.

Willibald, of Eichstädt Itinerarium (ca. 728-750), in Tobler (q.v.) and (Eng.tr.) in PPTS (1897).

Wipszycka, Ewa Les ressources et les activités économiques des églises en Egypte du iv au viii siècle (Bruxelles. Fondation egyptilogique Reine Elisabeth 1972)

Wright, William Catalogue of Syriac Manuscripts in the British Museum (London 1870) 3 vols.

Wüstenfeld, F. Geschichte der Fatimiden chalifen (Göttingen. Dieterich 1881)

Yahya ibn Sa'īd, al-Anṭākī (d. 1066) al-Kitāb al-ledhy sanna'ahu [Chronicon/Annales] (ed/tr) J.Kratchkovskij & A. Vasiliev PO, XVIII:5 (1924) and XXIII:3 (1932). And (ed)L.Cheikho Eutychii Annales (Paris 1909) CSCO: Scr.arab.III:vii

Yarnley, C J "The Armenian Philhellenes" (ECR 8.1976) 45-53

Young, William G Patriarch, Shah, and Caliph; a Study of the relationships of the Church of the East with the Sassanid Empire and the early Caliphates up to 820 AD (Rawalpindi. Christian Study Centre 1974)

Zayāt, Habīb al-Rūm al-Malakiyūn fi'l-Islām,[Les Grecs Melkites en Islam] vol. 1 (Harissa. St.Paul 1953)

_____, "Vie du patriarch melchite d'Antioche Christophore, par le protospathaire Ibrahim ibn Yuhanna" (POC 2.1952) 11-38, 333-366

Zèzioulas, Iōannès D "Hierousalèm" (art) in TEE, VI (1965)

Zonaras, Iōannès (fl.1160) Epitomè Historion (ed) M.Pinder, CSHB (Bonn 1841)2 vols. reprinted in MPG,vols. 134-135. Libri 13-18 (end) (ed) T.Bültner-Wobst (Bonn. Weber 1897)

Žužek, Ivan (ed) I Patriarcati orientali nel primo millennio (Rome 1968) [= Orientalia Christiana Analecta, 181]

Chéhab, Maurice Tyr à l'époque des Croisades (Paris. Maisonneuve 1975)

Hamilton, Bernard "A Medieval Urban Church;the Case of the Crusader States" in (ed)Derek Baker The Church in Town and Countryside (Oxford. Basil Blackwell 1979) [= Studies in Church History, 16]